

Civilian Personnel Guide For Supervisors And Managers



**Human Resources Office
Washington**



How to Use This Manual

This manual is designed to serve as a convenient reference guide for military and civilian supervisors and managers. We know that there will be times when as situations arise you would like to have a handy guide that will either refresh your memory or point you in the right direction. This manual is designed to do just those things.

The manual is not designed to be read straight through. A new supervisor or manager may choose to do that as a quick introduction, but that is **not** the purpose of the manual. This manual is designed to be read by topic area as questions or problems arise. For this reason, the discussions are brief and cover the central issues only. Question and answer sections are included to help place the information within context based on actual questions that typically are raised. Our goal is to make you comfortable enough with the subject matter at hand that when you need to act, you will have enough knowledge to know where to begin. Once you begin, be assured that the staff of the Human Resources Office-Washington will be there to help!

Table of Contents

Dedication			
Position Management	5	Leave Administration	78
Fair Labor Standards Act	11	Correcting Leave Problems	88
Staffing and Recruitment	14	Civilian Employee Assistance	101
Employee Development	23	Injury Compensation	108
Equal Employment Opportunity	27	Conclusion	114
Labor Relations	38		
Grievances	40	Appendix A: Recruitment Methods	
Performance Management System	44	Appendix B: Conducting a Job Analysis	
Incentive Awards	56	Appendix C: Crediting Plan Development	
The Probationary Period	62	Appendix D: Developing Performance Standards	
Conduct vs. Performance	65	Appendix E: What Recognition Should I Give	
Right to Discipline	71	Acknowledgements	
With-Grade Increase Denial	74		

DEDICATION

This Civilian Personnel Guidance Manual was prepared by the Human Resources Office-Washington. It is dedicated to all the supervisors and managers, (military or civilian) of civilian employees of the Bureau of Medicine and Surgery, the National Naval Medical Center, Outlying Clinics, and Tenant Commands.

Since “Caring Is What You Do Best,” it is hoped that the guidance provided in this manual will remove some of the administrative burden from your shoulders and allow you additional time to heal your patients

[Table of Contents](#)

OOPS!!

Is Anything Missing?

We would really like to get your feedback on this manual. As a Navy Medicine manager or supervisor, have you found it helpful? Does it cover what you need? Are there too many specifics? Not enough specifics? What did you hope to find, but didn't? What would improve the manual?

Send your feedback to:

E-Mail Address:

Jacobsen.Robert@hrow.navy.mil

Fax: (301) 295-6509

[Table of Contents](#)

POSITION MANAGEMENT

Authorities and Responsibilities for Classification

Both the Office of Personnel Management (OPM) and Federal agencies bear responsibility for carrying out the General Schedule classification system in accordance with the principles set forth in law. While OPM has overall responsibility for establishing the basic policies and guidance governing the classification system, each agency has the general authority and responsibility for properly classifying all of its positions covered by the General Schedule. The General Schedule is the broadest subdivision of the classification system covered by the Title 5, U.S.C. It includes a range of levels of difficulty and responsibility for covered positions for grades GS-1 to GS-15. It is designated by “GS” for supervisory and non-supervisory positions at all of these grade levels. (Most positions above grade GS-15 are included in the Senior Executive Service (SES) which is outside of the General Schedule.)

Agency Authority and Responsibility

Federal agencies have authority and responsibility to:

a. Carry out a program for creating, changing, or abolishing positions and assigning or reassigning duties and responsibilities to employees.

Under the law, each agency has the authority to administer the General Schedule classification system for its own positions including the authority to organize and assign work.

b. Exercise and redelegate classification authority.

While the head of each agency remains responsible for insuring compliance with the law and with published classification standards, this authority is usually, but not always, redelegated to agency managers and personnelists.

c. Emphasizing sound position management.

Federal managers have the responsibility to organize work to accomplish the agency’s mission in the most efficient and economical manner. The policy of the Federal government is to assign work in a way that will make optimum use of available resources.

***Work covered by the
General Schedule***



***The following material
summarizes the general
characteristics of work
classifiable under the
General Schedule:***

d. Ensure consistency in the classification of positions within the agency.

Each agency should have sufficient instructions and oversight to assure that delegated classification authority is exercised consistently throughout the agency.

Occupational series in the General Schedule are normally divided into two categories: those governing one-grade interval work, and those covering two-grade interval work.

One-grade interval series have a grade level pattern which increases by one grade increments; i.e., GS-1, 2, 3, 4, 5, 6, etc. The typical grade range for one-grade interval occupations is GS-2 through GS-7.

Two-grade interval series follow a two-grade interval pattern, i.e., GS-5, 7, 9, 11. Grade GS-9 normally represents the first full performance level for two-grade interval work although this may vary with some occupations.

1. Professional Work

Professional work requires knowledge in a field of science or learning characteristically acquired through education or training equivalent to a bachelor's or higher degree with major study in or pertinent to the specialized field, as distinguished from general education. Professional occupational series typically follow a two-grade interval pattern.

Examples would include :

Physical Sciences Group GS-1300 Series, Accountant GS-510 Series, or Nurse GS-610 Series.

2. Administrative Work

Administrative work involves the exercise of analytical ability, judgment, discretion, and personal responsibility, and the application of a substantial body of knowledge of principles, concepts, and practices applicable to one or more fields of administration or management.

While these positions do not require specialized education, they do involve the type of skills (analytical, research, writing, judgment) typically gained through a college level education, or through progressively responsible experience.

Administrative occupational series typically follow a two-grade interval pattern.

Examples would include :

Management Analyst and Program Analyst GS-343 Series, Computer Specialist GS-334 Series, Financial Administration and Program GS-501 Series.



3. Technical Work

Technical work is typically associated with and supportive of a professional or administrative field. It involves extensive practical knowledge, gained through experience and/or specific training less than that represented by college graduation. Work in these occupations may involve substantial elements of the work of the professional or administrative field, but requires less than full knowledge of the field involved.

Examples would include :

Biological Science Technician GS-404 Series, Social Science Aid and Technician GS-102 Series.

4. Clerical Work

Clerical occupations involve structured work in support of office, business, or fiscal operations. Clerical work is performed in accordance with established policies, procedures, or techniques; and requires training, experience, or working knowledge related to the tasks to be performed. Clerical occupational series follow a one-grade interval pattern.

[Table of Contents](#)



Clerical work typically involves general office or program , support duties such as preparing, reviewing, and verifying documents; processing transactions; maintaining office records; filing information; keeping a calendar and informing others of deadlines and other important dates; and using keyboards to prepare typewritten material or to store or manipulate information for data processing use. The work requires a knowledge of an organization's rules, some degree of subject matter knowledge, and skill in carrying out clerical processes and procedures.

Examples would include:

Budget Clerical and Assistance GS-561 Series, Supply Clerical and Technician GS-2003 Series.

Position Management

The law which governs the classification system clearly places upon agencies the authority and responsibility to establish, classify, and manage their own positions. Good position management can be defined as a carefully designed position structure which blends the skills and assignments of employees with the goal of successfully carrying out the organization's mission or program. Sound position management reflects a logical balance between employees needed to carry out the major functions of the organization and those needed to provide adequate support; between employees and technicians; between fully trained employees and trainees; and between supervisors and subordinates.

What is a Position Description?

A position description is a statement of the major duties, responsibilities, and supervisory relationships of a given position. Each position description must be kept up-to-date and include information about the job which is significant to its classification.

For a non-supervisory position, the description should include enough information so that proper classification can be made when the description is supplemented by other information about the organization's structure, mission, and procedures.

The PD should define the major duties and the responsibility for carrying out those duties. It is the position that is classified, not the person assigned to it. This means that the work to be performed and the requirements to do that work are evaluated. Any special capabilities or qualifications of the employee are not factors that influence the position's classification.

For a supervisory position, the position description should identify the information necessary to evaluate the position using appropriate supervisory classification criteria. The scope and degree of supervisory responsibility are of primary importance. The description of a supervisory position need not include a detailed discussion of the work performed by subordinate employees. It is important, however, that there be consistency between a supervisor's and subordinates' position descriptions concerning supervision given and received.

All position descriptions must include a statement signed by the immediate supervisor certifying to the accuracy of the position description.

***Let COREDOC help
make writing your
position description
easy!***

The Department of Defense Core Document (COREDOC) is an automated computer system which assists managers in developing a document that includes: a position description, crediting plan, performance plan and training plan.

***Why do we need
Position
Descriptions?***

To find out more about COREDOC contact your HRO advisors for information regarding Position Management. (refer to HROWASHINST 12312.3B)

Position descriptions play an integral part in the assignment and performance of employees. Position descriptions are used to:

1. determine the grade of the position. After the grade is set, the employee gets the pay of that grade;

QUESTIONS AND ANSWERS

2. help in setting qualifications used to fill and promote employees;
 3. orient new employees in their duties;
 4. developing performance standards for the work;
 5. in deciding on training related to the work.
-

Q. What is a position description?

A. A position description is the official record of the work assigned by management to an employee.

Q. Who prepares the position description?

A. It is the sole responsibility of the supervisor to prepare the position descriptions.

Q. “My employee does a really good job. She is inundated with work. Why is her job a GS-7 and not GS-8?”

A. Volume of work is not a factor in classifying a job. Neither is an incumbent’s financial need, difficulty in filling the position, and the employee’s length of service. If the employee is working beyond management’s expectations or has made contributions to the Department’s mission, management may approve the employee for a monetary or non-monetary award.

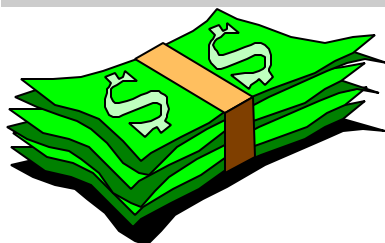
Q. What is an “accretion of duties.”

A. An accretion of duties is the addition of duties and responsibilities to a position which results in raising the grade of the position.

Accretion of duties must meet 3 criteria. The first criteria is that the old duties of the position are absorbed into a new position description, and the old position description is abolished. There is no promotion potential in the new position description, and no adverse effect on another filled position.. For more information on accreditation of duties, refer to HROWASHINST 12335.1F

[Table of Contents](#)

FAIR LABOR STANDARDS ACT (FLSA)



The Fair Labor Standards Act (FLSA) governs how Federal employees are paid. The exemption status of a position under the FLSA is important in that the status determines how overtime will be paid. If an employee is non-exempt from the FLSA, he or she is paid overtime at a true time and one-half rate once the employee has completed 40 hours of actual work in a week. If an employee is exempt from the FLSA, the employee is paid under the pay regulations implementing Title 5 of the U.S. Code, which provides that overtime pay will be limited to one and one-half times the rate of pay at the GS-10, Step 1, level.

The Office of Personnel Management (OPM) has determined that there are large groups of employees who are covered by the FLSA. These include the following:

- a. Non-supervisory trades and labor employees and working leaders under the WG and WL wage schedules. *Examples: Food Service Worker WG-7408, Cooks, WG-7404; Material Handler WG-6907.*
- b. Non-supervisory employees properly classified at GS-4 and below. *Examples: Budget Clerical and Assistance Series GS-561, and Supply Clerical and Technician Series GS-2003; Biological Science Technician Series GS-404.*
- c. Non-supervisory employees in clerical, equipment operating such as office, computer, communications equipment operators, and protective occupations. *Examples: Management and Program Clerical and Assistant Series, GS-344; Computer Operations Series GS-332; and Guard Series, GS-085.*
- d. Non-supervisory employees in technician occupations classified below GS-9, but not all of those classified at or above GS-9 or equivalent. *Example: Engineering Technician Series, GS-802.*

Hours of Work Under the FLSA



All time spent by an employee performing an activity for the benefit of or under control or direction of an agency is hours of work under the FLSA. This includes:

- * on duty time;
- * suffered and permitted time;
- * waiting or idle time controlled by the agency and from which it benefits.

On Duty Time

This time includes only periods of time the employee was present at the work site and performing work.

What is Suffered or Permitted Time?

Suffered or Permitted Time under the FLSA requires management to pay non-exempt employees for work performed outside his or her scheduled tour of duty.

An employee who comes to work early, stays at his/her desk during officially designated lunch periods, or stays after the end of officially designated work hours, and performs work that is accepted by the employer, is performing suffered or permitted overtime. The employee would be entitled to overtime pay for his or her work that was performed during this time.

It does not matter that the employee was not asked to stay and work. If the work is performed for the benefit of the agency, the supervisor knows or has reason to believe that the work is being performed, and the supervisor has not taken positive steps to prevent the employee from working, the work has been suffered or permitted and is payable to the employee.

The establishment of suffered and permitted work, and the lack of limitation on employee pay under the FLSA emphasizes the importance of establishing a schedule of hours for each employee.

Employee's work schedules must represent the employee's real work requirements and be established to accomplish the agency's mission without unduly increasing agency costs. Once the schedule is established, it should be clearly communicated to the employee.

***Waiting or Idle Time
Controlled by the
Agency & from
which it Benefits***

Simply establishing employee schedules is not sufficient under the FLSA. The manager must assure that the employee works only the scheduled hours. More importantly, the manager must actively assure that the ***NONEXEMPT employee*** does not work any unscheduled hours unless directed by the supervisor. To allow the ***NONEXEMPT employee*** to work beyond the scheduled hours, by coming in early, by staying late or by working through lunch hours, establishes a requirement under the FLSA to pay for the additional hours.

Such time that is under the control of and benefits the agency is hours of work. Normally, this happens when there is no work to perform for a short period of time and the employee is asked to stay at the work site. For example, time standing around waiting while machinery is repaired, or time standing around awaiting the arrival of materials.

STAFFING AND RECRUITMENT

Staffing--the process of filling a position involves planning the search for qualified candidates, locating candidates, and reviewing candidates' qualifications in light of job requirements. Managers and supervisors should work closely with their staffing specialist during the staffing process. For positions critical to mission accomplishment, managers and supervisors should take a particularly active role in recommending qualification requirements, factors on which applicants are rated, and recruiting methods.

Overview

In the Federal Government, civilian positions are categorized as either competitive service or excepted service. The majority of the civilian positions in the Department of the Navy (DON) are competitive positions. The remainder are specifically excepted from the competitive service by law, Executive Order, or Office of Personnel Management (OPM) regulation (e.g., attorneys).

Alternate Methods for Meeting Personnel Needs

Positions in the competitive service can be filled by either competitive or non-competitive methods. Competitive staffing methods require evaluating the qualifications of a candidate in relation to the qualifications of other candidates; non-competitive methods (e.g., reassignment and transfer) have no such requirement. Competitive staffing from inside the Government (internal hiring) is done by following the Merit Promotion Program (see HROWASHDCINST 12335.1F). Competitive staffing from outside the Government (external hiring) is by open-competitive examination. Both procedures are described in more detail later in this chapter.

As a manager or supervisor, you most likely have been delegated the authority to make appointments in your organization. There are usually a variety of options (promotion, reassignment, transfer, etc.) available in meeting your personnel needs. Also, both permanent and temporary appointments can be used in filling positions.

In selecting from among the various options, you should consider the advantages and disadvantages of each option in relation to your organizational needs, including meeting objectives of a fully integrated work force by providing equal employment opportunity (EEO) to all persons.

Refer to Appendix A for a listing of the most widely used recruitment methods and their advantages.

In the DON, competitive staffing is done following the DON Merit Promotion Program. As a selecting official, you are responsible for meeting merit promotion requirements in making selections. Your personnel advisor will assist you in this regard.

The HRO-W has published procedures on how the merit promotion process works at your activity. The policies and procedures can be found in HROWASHDCINST 12335.1F, or current edition. The Merit Promotion Program specifies management requirements in four areas: (1) candidate search, (2) candidate evaluation, (3) candidate selection, and (4) promotion system administration. These requirements are outlined below:

Candidate Search

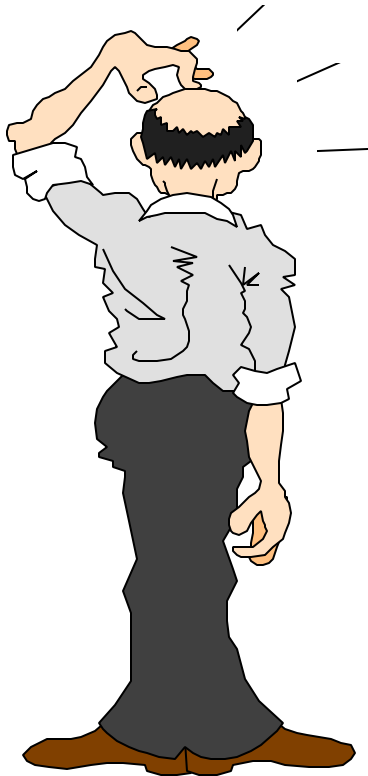
a. Identify Area of Consideration (AOC): One of the first steps you must complete when filling a position under merit promotion is identifying the AOC. The AOC is the geographic and/organizational area in which the activity directs its search for candidates (where it is anticipated that highly qualified candidates can be located, where a vacancy announcement is distributed, and from which candidates applications will be accepted). In determining the AOC, managers and supervisors must consider EEO goals and objectives; the likelihood of producing sufficient high quality candidates without unreasonably restricting fair competition; infusion of new ideas and strengths into the organization; and budgetary constraints and cost effectiveness.

For example, a field activity or subdivision may be a good AOC unless the selected field activity or subdivision could result in a stagnated organization or in failure to achieve EEO objectives. A local AOC (e.g., DON Activities – Commuting Area) may be good when enough qualified candidates are not available internally from your activity, but are employed by other activities in the commuting area.

Finding Applicants for Your Jobs

For management, scientific, policy-making, and other positions which require highly specialized knowledge and abilities it may be necessary to establish a very broad AOC (e.g., DON-Worldwide) or to engage in specific targeted activities (e.g., All DON Research Laboratories).

b. Methods of Locating Candidates: Candidates can be located using a wide range of methods, which vary with each vacancy, dependent upon the AOC, the type of position, and other similar considerations.



The principal method used to locate candidates is through a merit promotion vacancy announcement. Vacancy announcements inform prospective applicants of key requirements necessary to fill the position as well as how to apply for the position. Some of the information listed in a vacancy announcement include: the title, series, and grade of the position; target grade or known promotion potential; location of the position; AOC; the opening and closing dates of the announcement; description of the duties of the position; a summary of the position qualification requirements; conditions of employment; and the evaluation factors identified for the position. The evaluation factors are the specific knowledge, skills, and abilities (KSA's) essential for successful performance in the position. The KSA's are one tool used to distinguish the "best qualified" from the "qualified" candidates during the evaluation process. KSA's are identified by reviewing and analyzing the duties and responsibilities (also known as a job analysis) outlined in the position description. For information on conducting a job analysis, please refer to Appendix B.

In addition to the merit promotion announcement identified above, other methods of locating candidates can be applied. Examples include listing vacancies in appropriate DON, DOD, OPM vacancy listings, appropriate professional journals and newspapers, etc. Should you choose paid advertising your command will be responsible for fees charged.

c. Application Methods. Interested candidates may apply for a vacancy by submitting a resume, Application for Federal Employment (SF-171), Optional Form 612 (OF-612), or any other application form.

Evaluating Candidates

d. Acceptance of Applications. Candidates are responsible for the completeness and timely submission of their application. All appointable candidates within the AOC who apply will be considered.

Candidate Evaluation

a. Determining Basic Eligibility. Before applications are referred for evaluation, they must first undergo an initial screening to determine if they meet the minimum qualification requirements prescribed by OPM and all other legal and regulatory requirements. If a candidate meets basic eligibility requirements their application will be referred for further evaluation.

b. Evaluation Requirement. Regardless of the number of candidates referred for evaluation, evaluation procedures must use multiple assessment measures (e.g., experience, education, training, awards, and annual performance ratings); include job analysis to predetermine pertinent KSA's (Refer to Appendix B, Conducting a Job Analysis); be applied uniformly; and include consideration of the annual performance appraisal, to the extent that it is relevant to the position.

c. Evaluation methods. A range of evaluation methods may be used based on the type of position, resources available, and number of applicants. For example:

1. When evaluating a small number of qualified candidates (ten or fewer), abbreviated evaluation procedures may be used in lieu of a detailed, formal evaluation. When using these procedures, documentation of such evaluations may take the form of short narratives related to the KSA's explaining the basis of the differentiation between two groups, e.g., "qualified" and "best qualified."

2. When evaluating a large number of qualified candidates (over 25), the group may be reduced to a more manageable level through use of an abbreviated evaluation procedure such as a summary ranking factor. A summary ranking factor is a KSA which includes all of the essential requirements of the position combined, e.g., Ability to do the work of the position under normal supervision.



After this initial evaluation, the candidates selected for further evaluation will be evaluated using a job element rating guide (typically referred as a crediting plan). A crediting plan is the written basis for assigning points in evaluating candidates' experience, training, education, awards, and performance appraisals against the KSA's important to the position. It will distinguish the "best qualified" candidates from the "qualified." Appendix C, provides a Crediting Plan Development Guide for Managers and Supervisors.

d. Evaluators. Applications can be evaluated by the selecting official, a personnel specialist, other knowledgeable management designee(s). Evaluation officials should be knowledgeable about the position to understand job requirements and candidates' experience as it relates to the KSA's.

Panels. Unless provided for by special program requirements, a rating panel is not required. Decisions regarding whether to use a rating panel should be based on the grade level, importance, and sensitivity of the position, the number of candidates; the availability of technical resources; and the cost(s) involved.

Candidate Selection

Panels

a. Competitive Referrals. Selecting officials should have the opportunity to make a choice from among an adequate number of "best qualified." The "best qualified" candidates are those with the highest numerical scores who were evaluated using the crediting plan, or under abbreviated procedures, those grouped as "best qualified."

b. Non-competitive Referrals. Non-competitive eligibles are candidates who may be appointed or placed without evaluation using the crediting plan or under abbreviated procedures. They also can be considered without regard to the AOC listed in the vacancy announcement.

c. Interviews. Interviews are used by selecting officials to get more information about candidates and/or to inform candidates about the position and work environment. The selecting official may interview none, any, or all of the certified candidates but equity should be observed. The decision to interview should be based on its purpose. For example, if a certain KSA is essential, and one candidate's level of possession is not clear, an interview of that candidate may be appropriate. In another situation, the applications may make it clear that only a few candidates possess a critical KSA and interviews of those candidates may be conducted to decide which one to select. In all cases, selecting officials should be prepared to explain their rationale for selective interviewing.

d. Selection. The act of selection is a management prerogative involving informed judgment and responsibility for the consequences. The selecting official should choose the person(s) who will best fulfill management's needs in terms of productivity and the total objectives of the organization, including affirmative action and equal opportunity.

The selecting official retains the right to select from sources other than the Merit Promotion Program at any time during the recruitment and evaluation process (e.g., non-competitive candidate).

Promotion System Administration

a. Records. A record of each merit promotion action will be kept for two years, providing no grievance or complaint has been filed or is in process.

b. Disclosure of Information. Merit promotion information follows the Privacy and Freedom of Information Acts. All candidates have equal access to information on merit promotion processes and procedures.



***DOD Priority Placement Program
(Stopper List)***

In order to minimize the impact on employees affected by reduction in force, base closures, consolidations, contracting out, rotation from overseas, position classification decisions, transfers of functions outside the community area, etc., the DOD established the Priority Placement Program (PPP). All positions in the competitive and excepted service are subject to the PPP unless specifically exempted. To determine the potential impact on your specific action it is important to discuss the action with your personnel advisor. Although they cannot tell you if your action would be blocked, they can tell you if it is exempt and possibly discuss recent results of actions similar to yours.

Mandatory Pre-Recruitment Placement Actions

Certain activity employees may be entitled to prior consideration before any other eligible candidates (competitive or non-competitive) may be referred (except the placement of an employee with statutory or regulatory rights) to the selecting official. Your personnel advisor will refer employees entitled to prior consideration in the following order:

- * Law, court or other agency referral.
- * Agency decision/settlement between parties.
- * Activity employees on retained grade/pay, except for employees who were demoted for personal cause or by request.
- * Qualified activity employees who did not receive proper consideration for promotion due to a procedural, regulatory, or program violation.
- * Priority Placement Program registrants in priorities 1, 2, 2R, and 3.
- * Activity employees who have fully recovered from a job related injury.

QUESTIONS AND ANSWERS

Q. I have a Medical Technician (OA) GS-645-6. Why can't I promote him to a GS-7?

A. Unless the position has a full performance level of a GS-7, or he has held a permanent GS-7 (or one with a potential to GS-7 or above) in the competitive service the position has to be advertised and the employee must compete.

Q. Does the selecting official have to interview everyone on the certificate of eligible employees before hiring an individual for the position?

A. No. The selecting official can choose not to interview anyone or he or she can interview one or some individuals for a position.

Q. On February 18, 1996, I promoted Mary Smith from Medical Clerk, GS-679-4, to a GS-679 -5. She has a rating of record of "Acceptable." When she applied for the position under merit promotion procedures, the full performance level for the position was GS-6. When can I promote Mary to a GS-679-6?

A. You can promote Mary to a Medical Clerk, GS-679-6 after Mary has been a GS-679-5 for one year and has rating of record of "Acceptable." This is known as "time-in-grade."

Q. I have a critical position that needs to be filled immediately, do I have to leave the position vacant until after merit promotion procedures?

A. No. You can temporarily fill the position through a detail. A detail is the temporary assignment of an employee to a different position for a specified period, with the employee returning to his/her position at the end of the detail. Additionally, you can fill the position non-competitively by temporary promotion for 120 days. See HROWASHDCINST 12335.1F for additional information.

QUESTIONS AND ANSWERS

Q. I have a GS-6, Medical Clerk vacancy. I know of a candidate currently at the GS-6 level at another DOD activity who may be interested in my vacancy? Do I have to advertise?

A. No. This would be considered a non-competitive action with no more promotion potential. Because you would be filling from within the DOD, the action would not be subject to OPM's Interagency Career Transition Assistance Program (ICTAP). The action, however, would be subject to the DOD Priority Placement Program. If your candidate is from another agency (other than DOD) you would be required to advertise for candidates who are eligible under ICTAP.

EMPLOYEE DEVELOPMENT

Build and support a workforce capable of achieving Navy mission and performance goals.

Goal

One of the major responsibilities of supervisors is to determine the training needs of their subordinates and to fulfill those needs with available resources. Organizational needs, as well as individual and career development needs, must be considered.

Determining Training Needs

Organizational needs are generally the result of some management action such as a change in mission, organization, method or procedure.

Individual or career-related needs are more subjective in nature and must be based on each employee's skills, abilities, attitudes, and the requirements not only of the job, but also for occupational progression. Progress reviews and performance appraisals are a good starting point. Remedial training may be identified, such as training to carry out a duty.

Preparation of an Individual Development Plan (IDP) can be of assistance to you in identifying specific training needs that will assist in mission accomplishment and employee progression.

You should determine whether the training will be given at the work site, in the classroom, by correspondence, by means of a computer or off-the-job. The latter includes Navy or other government agency courses or non-government training institutions. Since resources are always limited, you must establish training priorities. Consideration must also be given to workload requirements, leave and the availability of the employee.

Planning Training

Bargaining agreements may at times contain provisions regarding how training is allocated or scheduled. Supervisors and managers should review their agreements to insure that they are in compliance. In addition, there are some types of training that are considered to be career enhancing or have high demand but attendance must be restricted because of costs. For these forms of training, it is suggested that the opportunities be announced and

attendees be selected through an appropriate form of competition.

Evaluating Training

Supervisors are responsible for evaluating training results such as increased knowledge and efficiency, acquired skills, changes in attitude, or cost savings. This evaluation process will determine whether the training has met the needs of the organization, thereby re-determining future training needs.

Training Authorization Form

The DD Form 1556 (Request, Authorization, Agreement, Certification of Training and Reimbursement) is used to obligate funds, contract for training, and certify payment of approved training expenses. Training may not take place until approval and certification signatures are obtained on the form. This management review process should take place at least fourteen (14) days prior to the start of training.

Q. Where do I go to find out about different training courses available?

A. Training catalogs are available through the Human Resources Service Center, Capital with additional information available from the Career Management staff at HRO-W.

Q. Where do I go to get monetary approval for training courses?

A. Each Directorate Head is responsible for approving monetary funds for training.

QUESTIONS AND ANSWERS

Q. What sources can I use to train my employees?

A. Training is available through both government and non-government sources. Supervisors are encouraged to use the most cost effective source. Sometimes, non-government training sources can be the most cost effective due to time constraints and scheduling problems.

QUESTIONS AND ANSWERS

Q. Are there mandatory training classes just for supervisors and managers?

A. *Yes. Supervisors and managers are required to attend several mandatory classes. These classes include:*

- * Civilian Employee Assistance Program (CEAP) at least one session*
- * Drug-Free Workplace at least one session*
- * EEO Training at least 2 hours annually*
- * Occupational Health and Safety at least annually*
- * Basic Personnel Management for all new supervisors and managers at least one session.*

Q. Are there any mandatory training classes for employees including supervisors, managers, and employees alike?

A. *Yes. All employees are required to take several mandatory classes. These classes include:*

- * AIDS/HIV at least one time*
- * Computer Security, if they use computers, at least one session*
- * Counterintelligence and Awareness Briefing at least one session, for employees in sensitive positions with security clearances*
- * Occupational Health and Safety at least annually*
- * Prevention of Sexual Harassment at least annually*
- * Security at least one session.*

Q. Are there any mandatory training classes just for new employees?

A. *Yes. New employees are required to attend at least one session for each of the following classes:*

- * New Employee Orientation*
- * Prevention of Sexual Harassment ninety days from their entrance on duty date.*

Q. Does training have to be job-related?

A. *No. Training only has to be deemed beneficial to Department of the Navy's (DON) overall mission. Generally, that is interpreted to mean that the training can be realistically used*

QUESTIONS AND ANSWERS

by the individual at the activity or within the Department of the Navy within a reasonable period of time.

Q. Do I have to provide formal training to all my employees?

A. No. Training may take many forms including, but not limited to, on-the-job training, mentoring, correspondence courses, Department of Defense (DOD) and DON courses, and/or rotational assignments. Computer-based or computer assisted training is becoming ever more popular as a means of allowing personnel to obtain training at times and places which are convenient. Computer-base or computer-assisted training has also been shown to be very effective in getting students to remember what they are being taught.

Q. Will the government pay for a college degree?

A. No. Training solely for the purpose of getting someone a college degree so that the person can be promoted is not allowed. However, activities are authorized to fund individual college courses if deemed beneficial to the overall mission.

Q. Are you saying that I can have the government pay for college courses that are related to the general work that my activity does, even though I am not currently doing that work?

A. Yes. As long as there is a realistic expectation that you will use the information presented in the courses within a reasonable period of time. For example, a secretary could be provided tuition assistance to take a college math course because a knowledge of mathematics is helpful in making and editing graphs and charts. Advanced Social Psychology would not be considered appropriate for a secretary in the Budget Office who needs the course to fill a requirement that is needed for a business degree.

EQUAL EMPLOYMENT OPPORTUNITY

Policy

The DON is committed to providing equal opportunity and treatment to all DON employees and applicants regardless of race, sex, color, religion, national origin, sex, age, or handicapping condition. In addition, DON strives to create a workplace for its employees free from discriminatory practices, including sexual harassment, and ensure discrimination complaint procedures are in place to provide adequate counseling and timely processing of all complaints.

The following sections/portions of this chapter describe procedures an employee must follow if he or she wishes/desires to file an EEO complaint. It is not uncommon that final resolution of an EEO complaint may take years to be completed due to the backlog of cases. Therefore, the processing of EEO complaints is both costly in terms of financial resources as well as work-hours a command has to invest in complaint processing. The DON and the Equal Employment Opportunity Commission (EEOC), the governing body that adjudicates EEO complaints, highly encourages resolution of complaints at any stage of the process. This may include the use of alternative dispute resolution or mediation soon after the concern arises. However, this does not mean that management should not carry out its obligation to hold employees accountable for violations of any laws, rules, or regulations, and/or failure to perform their duties and responsibilities. In carrying out corrective action, the key is to treat everyone consistently and fairly so that a reasonable person would agree with you!

DON EEO Complaint Procedures

Regulations state that aggrieved persons who believe that they have been discriminated against on the basis of race, color, religion, sex, national origin, age, or disability, or in retaliation for having participated in and/or opposed activity protected under the civil rights statutes, **MUST** first consult an EEO counselor before filing a formal EEO complaint. Pre-complaint counseling is a mandatory first step in the EEO complaint process.

Informal Counseling

It is during the informal counseling stage, that the EEO counselor listens to the aggrieved person so he or she can determine what action or actions the agency has taken, or is in the process of taking, that causes the aggrieved person to believe that he or she is the subject of discriminatory treatment. Before the counselor begins the fact-finding, he or she must be certain that the issue or issues are clearly defined and the aggrieved person agrees on what issues are to be the subject of the fact-finding, and subsequent attempts at resolution. Issues may arise and become clearer during the counseling process. However, it is important that the issues of the complaint be clarified in the counseling process, because the agency will dismiss an issue that has not been discussed with the counselor, or if the issue is not “like or related” to other issues raised in the counseling, then that issue would be the subject of a separate counseling and complaint.

Basis of Discrimination

In order to have a complaint accepted for fact-finding, the aggrieved person must believe that she or he has been discriminated against on the basis of the factors protected by the statutes that the EEOC enforces- race, color, sex, religion, national origin, age (over 40), disability, or in retaliation for having participated in an activity protected by the various civil rights statutes.

What happens if the aggrieved person raises a basis of discrimination that is not covered by the bases of race, color, sex, religion, national origin, age (over 40), disability, or retaliation?

If it is clear that the aggrieved person’s problem does not involve a basis of discrimination covered by the EEOC regulations, the counselor informs the aggrieved person of this and, if possible, refers him or her to an appropriate source of relief, such as the administrative grievance procedure. In some cases, however, the aggrieved person may insist the EEO counselor allow him or her to file a discrimination complaint on that basis. In this case the counselor issues the appropriate notice to the aggrieved person that advises him or her that counseling did not result in resolution, and of his or her right to file a formal complaint. Under DON

regulations, the counselor cannot attempt to dissuade a person from filing a complaint.

Fact-Finding

After the EEO counselor has determined that the basis(es) and issues in a potential complaint, he or she conducts an informal fact-finding. The purpose of the fact-finding is to obtain information for settlement efforts and to determine jurisdictional questions if a formal complaint is filed. The EEO counselor's role during fact-finding is as an objective party attempting to find out what happened and hoping to find some means by which to resolve the issue. The fact-finder is neither a representative of the complainant nor a representative of management.

While the scope of the inquiry will vary based on the complexity of the issues in each case, the fact-finding is not a substitute for the investigation required in the formal stage.

EEOC's regulation requires that the EEO counselor conduct a final interview with the aggrieved person within 30 days of the date the person brought the matter to the counselor's attention. During the final interview with the aggrieved person, the counselor should discuss what occurred during the EEO counseling process in terms of attempts at resolution. Since EEO fact-finding is informal and does not involve sworn testimony or extensive documentation, the counselor cannot and will not make findings on the issue of discrimination.

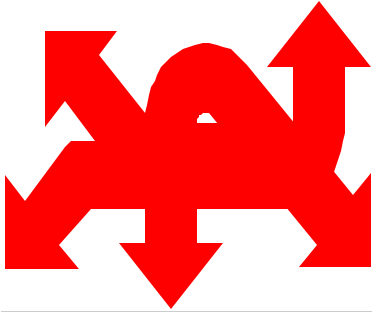
Agency Dismissal Process

To conserve program resources and program integrity, EEO counselors can dismiss certain complaints expeditiously. These are usually made early in the complaint process.

DISMISSALS WHICH SHOULD BE DONE EARLY IN PROCESS

1. Untimely Counseling Contact
2. Untimely Filing of the Formal **Complaint**
3. Failure to State a Claim
4. In cases where the complainant has elected to seek relief either the Merit Systems Protection Board or the negotiated grievance procedure.

The Investigation



Purpose of Investigation

Methods of Investigation

When conducting the investigation, regulations require that the agency develop a **complete and impartial factual record** so that it can make findings on the issues raised by the complainant. EEOC's standards are for completeness and impartiality regarding factual findings on formal complaints of discrimination.

The investigation of a formal complaint of discrimination is an official review or inquiry, by persons authorized to conduct such inquiries or reviews, into matters raised in an EEO complaint.

The investigative process is non-adversarial. What this means is that the process should not be combative -- a match between sides. Rather the investigator is obligated to collect evidence regardless of the parties' positions with respect to the items of evidence.

The purpose of the investigation is to gather facts upon which to base a determination as to whether an organization discriminated against an individual based upon the seven protected classes.

In investigating the claims accepted, the EEO investigator may use a variety of fact-finding methods. For example, the investigator may choose to interview the individuals concerned, or perhaps he or she may hold a fact-finding conference. In most cases, testimony and/or affidavits are taken from the complainant as well as from all other persons knowledgeable of the matters giving rise to the complaint. Other people may be asked to provide testimony as to the nature of the work environment in which the complaint arose, for example, supervisors, team leaders, and coworkers.

The investigation must include a thorough review of the circumstances under which the alleged discrimination occurred. This review includes a comparison of how members of the complainant's group were treated as compared to how other similarly situated employees were treated, and an analysis of any policies and/or practices that may constitute or appear to constitute discrimination.

While conducting the investigation, the investigator collects copies of all relevant documentation and material to the action or issues giving rise to the complaint. The investigator is required to collect sufficient documentation as to allow a comparison of treatment of the complainant, the complainant's group and other employees in the organization. All evidence gathered as a result of the investigation, including the investigator's summary and finding of either discrimination or not discrimination are bounded in a record known as the Report of Investigation (ROI). Once completed, the ROI is distributed to the EEOC, the agency, and the complainant and his or representative.

The Hearing Process



In individual complaints of discrimination, an agency must notify the complainant of his/her right to request (within 30 days of receipt of the investigative file), a hearing on the complaint by an EEOC administrative judge or a decision based on the findings of the investigative report.

The hearing is an adjudicatory proceeding which completes the investigation of a complaint by ensuring that the parties have a fair and reasonable opportunity to explain and supplement the record and to examine and cross-examine witnesses. An administrative judge from the EEOC adjudicates claims of and issues findings and conclusions.

Once the EEOC judge has rendered a decision, his or her findings and conclusions are forwarded to the Secretary of the Navy, where a final agency decision is rendered. By most accounts, the DON will adopt as the agency's final decision, the EEOC's findings. The complainant may appeal the DON's final decision by appealing to the EEOC, and then to District Court.

Because EEO complaints may eventually find their way to hearings before EEOC judges and the courts, careful record keeping and maintenance of files is important.

Cooperation with EEO counselors at the informal, fact-finding stage of the process, often helps to produce and protect information needed at later stages.

When an agency or the Equal Employment Opportunity Commission finds that an applicant or employee has been discriminated against, the agency must provide full relief to the complainant.

Types of Relief Available include:

Types of relief available with a positive finding of discrimination

1. A notification to all employees of the agency in the affected facility of their right to be free from unlawful discrimination and assurance that the particular types of discrimination will not recur.
2. A payment to each victim of discrimination on a make whole basis for any loss of earnings and benefits the person may have suffered as a result of discrimination.
3. A commitment that the agency shall cease from engaging in the specific unlawful employment practice found in the case.
3. Reasonable attorney's fees.
5. In some cases, compensatory damages may also be awarded. As the name implies, these damages are to compensate the victim for suffering and pain which resulted from the discriminatory treatment. To support claims for suffering and pain, the complainant will have to produce medical bills, etc., which support the claim.

Sexual Harassment

Harassment on the basis of sex is a violation of discrimination law.

What Is Sexual Harassment?

Sexual harassment is any unwelcome sexual advance, request for sexual favors and other verbal or physical conduct of a sexual nature. Sexual harassment includes:

1. Submission to such conduct when the advance or request is made either explicitly or implicitly a term or condition of an individual's employment,
2. Submission to or rejection of such conduct which is used as the basis for employment decisions affecting an individual, or

3. Conduct which unreasonably interferes with an individual's work performance or creating a intimidating, hostile, or offensive working environment.

Any military member **or** civilian employee who makes deliberate or repeated **unwelcomed** verbal comments, gestures, or physical contact of a sexual nature is also engaging in sexual harassment.

In determining whether alleged conduct constitutes sexual harassment, the EEOC will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred.

A organization is responsible for any acts of sexual harassment performed by the activity as a whole or by personnel acting on behalf of the activity (which include supervisory employees). This is regardless of whether the specific acts complained of were authorized or even forbidden by the employer and regardless of whether the employer knew or should have known of their occurrence.

With respect to conduct between fellow employees, the employer is responsible for acts of sexual harassment in the workplace where the employer (or supervisory employees) knew or should have known of the conduct, unless it can show that those in charge of the activity took **immediate** and appropriate corrective action.

Prevention is the best tool for the elimination of sexual harassment. Management should take all steps necessary to prevent sexual harassment from occurring. Affirmative steps in the prevention of sexual harassment include:

1. affirmatively raising the subject,
 2. expressing strong disapproval,
 3. taking appropriate disciplinary actions against those who engage in sexual harassment, and informing employees of their right, as well as, how to raise the issue of harassment under title VII.
-

Elimination of Sexual Harassment

Requirement for Command Action on Complaints Alleging Sexual Harassment

***New requirements for
the command
investigation are:***

The 1998 Defense Authorization Act included a requirement for investigation of complaints of sexual harassment. This requirement is in addition to the processing of an allegation of sexual harassment under the DON's **EEO complaint** process. [NOTE: In the following sections, "investigation" does not mean an EEO investigation normally conducted by the Office of Complaints Investigation when an employee files a formal EEO complaint.]

Within 72 hours after receipt of the complaint, a commander or activity head shall:

1. forward the complaint or a detailed description of the allegation to the next superior officer in the chain-of-command who is authorized to initiate or commence an investigation of the complaint; and
2. advise the complainant of the commencement of the investigation.

***Duration of
Investigation***

The investigation of the complaint should be complete **no later than 14 days** after the date on which the investigation is commenced.

***Report on
investigation***

A final report on the results of this investigation, including any action taken as a result of it, should be submitted to the Commander/ Deputy Commander within 20 days after the date on which the investigation commenced.



Employees with Disabilities

Supervisors and managers are required by Federal regulations to reasonably accommodate qualified individuals with disabilities for their known physical and mental limitations. An exception is appropriate if making the needed accommodations places an undue hardship on their operations.

A qualified individual with a disability is one who (1) with or without reasonable accommodation, can perform the essential functions of the position without endangering his/her health and safety or that of others, and (2) who meets the experience and education requirements of the position or meets the criteria for appointment under one of the special appointing authorities for individuals with disabilities.

Reasonable Accommodation

Reasonable accommodation may include, but is not limited to, making facilities accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, acquiring or modifying equipment or devices, and providing interpreters.

QUESTIONS AND ANSWERS

Q. I have just been told that I am being called the responsible management official. What does this mean?

A. You were either named by the complainant or you were responsible for the alleged adverse personnel action.

Q. Why should I consider settling a complaint when I didn't do anything wrong?

A. EEO counselors are encouraged to try to settle complaints at the lowest possible level. Therefore, mediation and other alternate dispute resolution methods are encouraged. Sometimes it is more reasonable to make a small concession when the stakes are lower very early in the process than to incur the cost of an investigation and hearings when settlement is likely to occur anyway.

Q. Is there a limit to the number of EEO complaints an employee can file?

A. No. An employee can file as many EEO complaints as he or she is warranted because of perceived acts of discrimination based on race, color, religion, sex, national origin, age, handicapping condition, or reprisal.

QUESTIONS AND ANSWERS

Q. Mary claims she was discriminated against based on her obesity. Is the EEO complaint process a legitimate avenue for Mary to file in order to seek relief?

A. No. Discrimination can only be claimed on the bases of race, color, religion, sex, national origin, age, handicapping condition, or reprisal. Mary is not eligible to file an EEO complaint based on her obesity. It is possible that Mary may claim that her medical condition results in a handicapping condition – but this must be proved.

Q. What are examples of retaliation?

*A. Examples of **alleged** reprisal actions include:*

1. Frances alleges reprisal when she was terminated during her probationary period as a Secretary, GS-318-7, based on excessive tardiness. Mr. Smith, Frances's first-line supervisor, knew Frances had earlier filed an EEO complaint against him alleging discrimination when he counseled her for her tardiness.

2. John filed a claim of discrimination when his supervisor assigned him a rating of record of "Unacceptable." After filing his claim, John was reassigned to another department. John filed an EEO claim based on reprisal.

3. Sue is asked to testify in an EEO case. Her testimony supports the claim being made against her supervisor. On her next performance rating, Sue's rating is lowered.

Q. What can I do to protect myself against EEO complaints?

A. The best way managers and supervisors can protect themselves against EEO complaints is to treat everyone consistently. Supervisors should:

1. communicate their expectations to all employees regarding their duties and responsibilities office policies;

2. provide regular feedback regarding employee's strengths and weaknesses; and

3. reward good performance.

QUESTIONS AND ANSWERS

In those cases where employees fail to adhere to the standard operating procedures or fail to perform their duties and responsibilities, supervisors and managers should document these deficiencies and take appropriate disciplinary and/or performance based actions.

Q. My employee is chronically late for work, how can I make him come in on time without him claiming discrimination?

A. There no way to prevent an employee from filing an EEO claim, if he or she believes they are being discriminated against. This is their right by law. However, managers and supervisors have an obligation to hold the work force accountable. The key is to treat everyone the same. If John is held accountable to come in on time, then all other personnel in that office should be held to the same standard.

Q. When an EEO counselor calls to inform me as a supervisor that an employee has raised an allegation of discrimination, has a decision already been made against me?

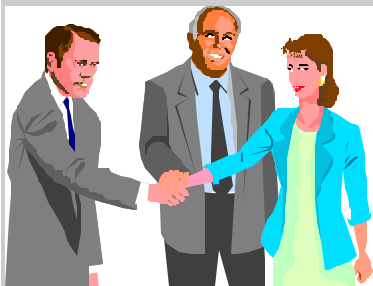
A. No. When an EEO counselor contacts you as the supervisor, the counselor is conducting an informal fact-finding into the complainant's allegations of discrimination. This is a good time for you to bring forth legitimate business reasons and relevant documentation to support your actions.

Q. If an employee files a complaint of discrimination against me, does that mean I'm going to automatically receive a lower rating on my performance?

A. No. However, when any supervisor or individual is found to have unlawfully discriminated against an employee, former employee, or applicant, then disciplinary or corrective action will be considered.

LABOR RELATIONS

The Right to be Represented



A union that has been accorded exclusive recognition has a duty to fairly represent all employees in the bargaining unit. Several provisions of the Civil Service Reform Act are designed so that the union has an opportunity to represent employees' interests. For example, the union is able to:

1. negotiate with management in good faith effort to determine conditions of employment;
2. obtain data normally maintained by management that are reasonably available and necessary for the union to intelligently determine its bargaining position;
3. have employees representing the union on official time when negotiating agreements with management;
4. be represented at certain discussions with bargaining unit employees.

For many supervisors, the most important provision relates to the union's right to be represented at certain meetings with employees if they are to accomplish the work of their unit. These meetings with employees are a normal part of planning, assigning and evaluating work and ensuring that employees know what is expected of them. Meetings may also be necessary to counsel employees on their work performance or to alert them to possible disciplinary action.

The Weingarten Provision

The law states that the union is entitled to representation concerning meetings management representatives have with employees in connection with an investigation. This provision is sometimes called the *Weingarten Provision*. A Weingarten meeting must meet three conditions:

1. A bargaining unit employee has requested representation by the union;
2. One or more management representatives are examining the bargaining unit employee in connection with an investigation;
3. The employee reasonably believes that the examination may result in disciplinary action against the employee.

What Constitutes a Weingarten Meeting?

To constitute a Weingarten meeting, all three of the above conditions must be present. It is important to note that while the right to be represented at these meetings flows to the Union, this right is triggered by the **employee's request**.

Weingarten requests are not created every time an employee asks for union representation. The employee's request must be associated with an examination of the employee, and the employee must reasonably believe that he or she may be disciplined as a result of the discussion. This generally means that you must be questioning or interrogating the employee about something that could lead to disciplinary action. If either of these conditions is absent, there is no Weingarten situation.

Supervisor's Responsibilities

Once you have determined that all three conditions necessary for a Weingarten discussion are present, you may NOT continue the examination without providing the union an opportunity to be represented.

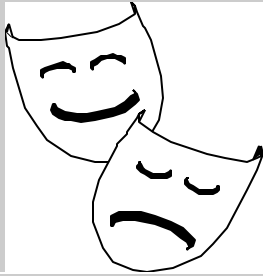
This means you must:

1. You must stop the examination and rely on evidence already available, or that which might be obtained by means other than examining the employee, as the basis for possible disciplinary action; or
 2. You must notify the union reasonably in advance that a meeting to examine a bargaining unit employee will be held, and if the union elects to be represented at the meeting, you must allow the union to make relevant comments.
-

Contract Administration

A collective bargaining agreement contains the working conditions that have been mutually agreed to by the union and management to provide fairness and economy at the work site. This is an important document because it establishes the basic framework for sound labor-management relations. **READ IT!**

GRIEVANCES



Supervisor's Role

A grievance can be any complaint by an employee concerning a condition of employment or an allegation that the contract has not been properly interpreted and applied. This definition covers many subjects.

The negotiated grievance procedure is a structured system for resolving disputes. This procedure is bilaterally established method for finding out where problems exist and solving those problems quickly.

When hearing a grievance and making a decision, the supervisor is representing management. You should ensure that you are not relinquishing your ability to get the job done while at the same time you are treating employees fairly.

Your job in resolving grievances will be made easier by following several guidelines:

1. Listen carefully to the grievance. Making a decision will be easier if you understand the problem that lies behind the complaint.
2. Get all of the facts surrounding the grievance. This will probably require asking direct questions of the employee.
3. Do not argue with the employee or take a position on the grievance at the time the grievance is submitted. You will have ample opportunity to express your opinion when you issue a decision.
4. Be objective and do not assume the grievant is wrong. Remember that your decision may be reviewed by other members of the management team, and ultimately by an impartial arbitrator.
5. Investigate the grievance by talking to others who may have knowledge of the problem.
6. Determine whether all procedural requirements have been met before issuing a decision.
7. Ensure that the union is given an opportunity to be represented at any discussion with members of the bargaining

unit concerning a grievance filed by a bargaining unit employee.

If you are certain that you have the proper answer to a grievance and feel a quick response will resolve the problem, an immediate reply is in order. In most cases, however, you will need additional time to investigate the allegations, assemble the evidence, and evaluate available remedies. Keep in mind your decision will impact on other supervisors and management officials. It is in the best interest of all parties to ensure that the answer given to a grievance is fair and based on all relevant facts. Remember that your Labor and Employee Relations advisor is always willing to discuss your answers prior to them being given to the grievant

***Change in
Working
Conditions and the
Requirement to
Bargain***

Whenever management wishes to make a change affecting the personnel policies, practices or working conditions of unit employees, the union must be given reasonable advance notice of the proposed change. In many instances, the responsibility will belong to the supervisor. In other cases, the supervisor will notify the Human Resource Office, Washington, Labor Management Relations Department of the proposed change and the necessary coordination will be handled by the labor relations office for all proposed changes within the command.

What constitutes reasonable notice will depend on the change and the circumstances under which it is being proposed. A proposal involving substantial changes for a large number of bargaining unit employees will obviously require more time than a less significant alteration in conditions of employment. Whenever practical, the union should be given at least **thirty** days (the time changes from activity to activity depending on its agreement) advance notice of changes in working conditions. Do not fall in the trap of believing that because your proposed change is for the benefit of employees there is no obligation to notify the union. Remember the union makes its own decision as to what is in the bargaining unit's best interest. Even if the union agrees with your positive assessment, it is entitled to know of the proposal in order to intelligently represent the unit and answer any questions posed to the union by the employees it represents.

The Union's Role

Once the union has been notified of a proposed change, it has the option of requesting negotiations. If the union is given reasonable advance notice, its request to negotiate must be made sufficiently in advance of your proposed implementation date to allow time for negotiations. If the union does not respond to your proposal, or does not respond in a timely manner, the union has waived its right to bargain and management can implement the proposal as outlined in the notification of the union.

If the union does request negotiations, you must, to the extent possible, maintain the status quo until agreement is reached through the negotiations process or until the impasse is resolved. The sole exception to this is when the delay would prevent you from exercising your rights under the Civil Service Reform Act.

The obligation to negotiate during the term of an existing collective bargaining agreement means that:

1. Management is required to negotiate on changes to conditions of employment;
2. Management has an obligation to provide reasonable advance notice to the union of such changes before they are implemented; and
3. After such notification, the parties must negotiate on the proposed change when the union submits a timely reply to do so.

Summary

Q. If an employee invokes his right to representation under Weingarten for a meeting with a supervisor, does the supervisor have to hold the meeting in abeyance until the union representative can attend?

A. Yes, unless the union representative cannot be available in a reasonable time.

QUESTIONS AND ANSWERS

QUESTIONS AND ANSWERS

Q. What are the consequences of implementing a change in working conditions without giving the union a chance to negotiate the change?

A. The union may request that management change working conditions back to status quo ante. If management refuses, then the union may file an unfair labor practice before the Federal Labor Relations Authority.

Q. When a union steward notifies his or her supervisor of a pending meeting to represent a bargaining unit employee, does the supervisor have to allow the union steward the official time when requested?

A. No. If the time requested by the union steward interferes with his or her work, then the supervisor should deny the steward official time and work out with the steward an alternate time to perform his or her representation.

Q. Are IG and NCIS investigations considered management representatives for Weingarten purposes?

A. Yes.

Q. When does the union have the right to be invited to meetings?

A. When management holds a formal meeting with employees in the bargaining unit concerning grievances, personnel policies and practices, or other matters affecting general working conditions, then the union is entitled to be notified in advance, to be present, and to present the union position.

PERFORMANCE MANAGEMENT SYSTEM

Performance Management is defined as the systematic process by which an organization involves its employees, as individuals and members of a group, in improving organization effectiveness in the accomplishment of its mission and goals.

The following definitions are provided for the purpose of implementing the guidance in this section.

Definitions

“Acceptable Performance” - means performance that meets an employees performance requirement(s) or standard(s) at the level of performance above “unacceptable” in the critical element(s) at issue.

“Critical element” - means a work assignment or responsibility of such importance that unacceptable performance on the element would result in a determination that an employee’s overall performance is unacceptable.

“Opportunity to demonstrate acceptable performance” means - a reasonable chance for the employee, whose performance has been determined to be unacceptable in one or more critical elements, to demonstrate acceptable performance in the critical element(s) at issue.

“Performance Plan” means - all of the written, or otherwise recorded, performance elements that set forth what the employee is expected to do. A plan must include all critical and non-critical elements and their performance standards.

“Unacceptable performance” means - performance of an employee that fails to meet established performance standards in one or more critical elements of the employee’s position.

Steps to Successful Performance Management

The heart of successful performance management is clear, continuous and consistent communication and follow through. The following four steps summarize what works:

1. Communicating clear performance standards and expectations to employees. (Consider sharing your supervisor’s performance expectations with your staff.)

If your employees don't understand what is expected, it will be very hard, if not impossible, for them to meet those expectations. Providing clear expectations doesn't necessarily require you to lay out precisely written, detailed instructions on every performance component. The vast majority of our personnel want to do an excellent job; what they need most of all is help to understand what is expected. Generally, the question you should ask yourself is: "Would a reasonable person understand what was expected?"

2. Providing regular and frequent feedback on performance.

Such feedback, both positive and negative, whether given in regularly scheduled meetings or in unscheduled discussions, is crucial to ensuring that expectations are understood. Frequent feedback helps to keep personnel on track and shows them that you care about their success. It also lessens the likelihood that an employee will be surprised if it becomes necessary to take formal steps to improve poor performance. Always look for opportunities to confirm that your employees understand what is expected.

3. Rewarding and recognizing good performance, informally and formally.

Recognizing good performance is simply another way of clarifying and reinforcing expectations. Recognizing good performance ranges from the simplest "Thank you" to formal recognition in terms of cash, time off, plaques, medals, etc. Awards and recognition is covered in greater detail in the next section of this manual.

4. Making full use of the probationary period for new employees.

Don't underestimate the importance of the probationary period or trial period. Performance problems often first show up during the initial period of Government employment. This period is designed to provide an opportunity for management to address such problems. Furthermore, an employee who is terminated during this period is not entitled to most of the procedures and appeal rights granted to employees who have completed probationary/trial periods.

Supervisors are to begin the appraisal process by preparing a performance plan. This plan should be prepared in consultation with the employee's job tasks and the standards by which the employee's performance will be assessed.

Setting Standards

In the plan, an employee's job tasks are divided into critical elements. Critical elements are defined as major job tasks that are of sufficient importance that performance at the unacceptable level requires corrective action and may be the basis for removing the employee or reducing his or her grade level.

Performance plans should be provided to employees within 30 days after the beginning of each appraisal period, permanent assignment to a new position, promotion and for each detail or temporary promotion expected to last 120 days or longer. See Appendix D for Guidelines for Developing Performance Elements and Standards.

Keeping the Employee Informed

Periodically throughout the appraisal period, the supervisor is expected to discuss the performance plan. The employee is to be informed of the level of performance and how it compares with the standards contained in the performance plan. This need not be a formal documented discussion. The end of a project or mid-project discussions are excellent times not only to clarify and reinforce what is expected, but to provide the employee with suggestions and encouragement. Employees are **required** to have a formal documented discussion during the mid-point in the performance rating cycle (often called the mid-year review).

Anytime during the appraisal period, a supervisor can compare an employee's performance against performance standards. The supervisor should call to the employee's attention areas in which performance indicates a need to improve and take positive steps to help the employee improve his or her performance to at least the "Acceptable" level. Also should a change in work assignments or supervisor occur, a special review is appropriate to make sure the employee knows what is expected. Special reviews should be documented on the performance rating form.

***What Can I do if I
Have a Poor
Performer?***

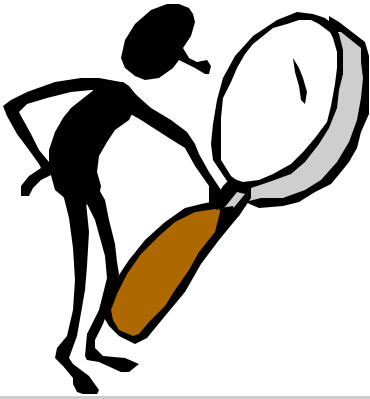
It is always hoped that with continual communications, clear performance standards and carefully selected training and developmental opportunities, poor performance will be avoided. Sometimes it just can't be avoided. So what do you need to know about how to work with a poor performer?

The issuance of an opportunity to improve plan or an unacceptable performance appraisal rating should **never** come as a complete surprise to an employee.

The supervisor is responsible for keeping employees informed regarding their current level of performance. Do not wait until the end of the performance appraisal period to discuss shortcomings in performance. Failure to communicate your concerns may result in the mistaken impression that an employee's performance is at an acceptable level. Tell the employee immediately when an instance of unacceptable performance occurs - what made it unacceptable and what the employee must do to improve performance to an acceptable level.

A recurring theme in successful resolution of performance problems is that taking action early is always better than waiting. This statement is definitely true when considering ways to prevent performance problems. Early communication, early feedback (positive and negative), and if appropriate, early termination during a probationary or trial period are all good ways to prevent future performance problems. Investing time early is always time well spent.

Identifying and Dealing With Poor Performers



When employees are performing at an unacceptable level, regulations require supervisors to assist these individuals to improve their performance to an acceptable level and to take appropriate action if efforts are unsuccessful. The process for dealing with poor performers can be undertaken at any time during the appraisal period, but an “unacceptable” rating of record cannot be issued earlier **than 90 days after standards and elements have been set**. It usually begins with informal counseling and closer supervision. When a supervisor discusses performance with an employee, the supervisor should make a note to the file, with a copy to the employee, which documents the matters discussed.

Counseling as a means of addressing performance problems.

Performance evaluation should be an ongoing process that includes periodic communication between supervisors and employees. Counseling employees about specific performance deficiencies as soon as they arise and offering appropriate assistance may often prevent more serious performance problems.

If the employee indicates, or the supervisor strongly suspects, that the employee’s performance deficiencies are the result of, or have been affected by, alcoholism, drug dependency, emotional problems, family pressures, or other problems of a personal nature, the supervisor should refer the employee to the Civilian Employee Assistance Program (CEAP). Do not attempt to “diagnose” a problem unless the employee volunteers a cause.

In counseling the employee regarding performance, the supervisor should cite both strong and weak points and give an overall assessment. You should discuss why you feel the employee’s performance is not at the “Acceptable” level.

Representation during counseling

Counseling meetings to discuss performance problems are not disciplinary or investigative in nature. Therefore, the “Weingarten” requirement (discussed above) is not applicable, and an employee’s exclusive representative does not have a right to be present at such meetings.

Performance Appraisal

At the end of the appraisal period, the supervisor must determine the employee's level of achievement toward reaching each individual job element by comparing actual performance against established standards. The levels of performance assigned to an employee's job elements are to be used as the basis for making a summary assessment of the employee's performance. Under the DON Performance Management Program two summary levels are permitted: **Acceptable and Unacceptable**.

Addressing Unacceptable Performance

At any time during the performance appraisal cycle that an employee's performance becomes "Unacceptable" in one or more critical elements the employee must be formally notified in writing and given an opportunity to improve. Regulations further require that the employee be informed of the performance requirements or standards that must be attained in order to demonstrate acceptable performance and allow the employee a reasonable opportunity to achieve the required level of performance. Notification of unacceptable performance may occur at any time during the appraisal cycle, including when the employee receives an end-of-the rating-cycle performance rating.

An Opportunity to Improve (OTI) is not required prior to the removal of a probationary employee and/or the denial of a Within-Grade Increase (WIGI).

The Opportunity to Improve may be issued whenever the supervisor determines that the employee's performance is unacceptable in one or more critical elements. However, before issuing the Opportunity to Improve, you (the rating official) should have supporting documentation (memos of counseling sessions with the employee, examples of performance deficiencies, etc.), citing when, where, what, and how the employee's job performance is deficient.

An Opportunity to Improve

he HRO-W will provide any guidance that you may need on preparing the opportunity to improve. Once you complete the notice and obtain approval from your Labor and Employee Relations advisor, present it to the employee.

The Opportunity to Improve informs the employee of the following:

1. Which critical element(s) is unacceptable, citing specific examples;
2. How the employee's performance is unacceptable, citing specific examples;
3. The performance standard(s) that must be reached in order to be retained in the position;
4. The specific assistance that will be given to the employee to help to improve his or her performance (e.g., formal training, counseling, closer supervision).
5. A period of time (generally 45 calendar days or longer – but see current labor contract for each activity) in which the employee must perform at an acceptable level in the critical element(s) for which the employee's performance was unacceptable. The period of time must be sufficient to provide the employee with a **reasonable opportunity** to demonstrate acceptable performance.
6. That unless the employee's performance in the critical element(s) improves to an acceptable level by the conclusion of the opportunity-to-improve period, (or is not sustained for 1 year following the start of the opportunity-to-improve period), the employee may be subject to removal or a reduction-in-grade action without being given an additional opportunity to demonstrate acceptable performance in the critical element(s) at issue.

An Opportunity to Improve may be kept in effect for longer than the specified period: e.g. illness or extended absence of rated employee or supervisor; the employee has demonstrated some improvement and it appears that, given a further opportunity, performance could become fully acceptable.

A change in supervisors during an Opportunity-to-Improve period does **not generally** require the organization to extend, hold in abeyance, or otherwise redesign the employee's opportunity to demonstrate acceptable performance. In this situation, the employee maintains his or her obligation to perform acceptably the requirements of the position. However, under such circumstance, the Department should ensure that the new supervisor is able to evaluate the employee's work and provide the necessary assistance to the employee in improving his or her performance to and acceptable level.

Should any extension be granted, then the supervisor should inform the employee in writing of the reasons for and length of the extension.

Following completion of the Opportunity-to-Improve period, the performance plan should be completed and a "final rating of record" issued.

Removal and Demotion

If the employee's performance remains unacceptable after the opportunity-to-improve period, and extension or reassignment does not appear appropriate, change-to-lower-grade or removal is then considered. Demotion is appropriate if it is believed the employee could perform acceptably in a lower graded position, **if** one is available. Removal is appropriate if no position is identified in which the employee could perform acceptably.

When removal or change-to-lower-grade appears appropriate, the supervisor with delegated authority prepares and issues a notice of proposed action based on documentation. The notice provides the employee at least 30 calendar days' advance notice of the proposed action; describes instances of unacceptable performance occurring within the last year, including the opportunity-to-improve period; and informs the employee of the right to respond

orally and/or in writing and to be represented by an attorney or other representative.

The supervisor should consult with HRO-W

The Designated Deciding Official (DDO) issues a written decision after consideration of any response, or after 15 days, if no response is received. If the employee is removed or demoted, he or she may appeal the decision to the Merit Systems Protection Board. A bargaining unit employee covered under 5 CFR432.102(e) may file a grievance under an applicable negotiated grievance procedure if the removal or reduction-in-grade falls within its coverage.

Examples

Example 1

The supervisor determines that the employee’s performance is unacceptable in one or more critical elements in November and issues an opportunity-to-improve. Employee is afforded 90 days in which to improve his/her performance to the “Acceptable” level of performance.

If performance improves to the “Acceptable” level, no performance-based action is warranted. In addition, the employee is notified in writing that his/her performance has improved to the “Acceptable” level and that the employee must maintain this level for at least a year.

Example 2

Supervisor determines that employee’s performance is unacceptable in December. If the OTI is discussed and issued to the employee on or before December 31, the employee’s rating period will be extended to allow for completion of the 45 calendar days or longer.

Example 3

Supervisor determines that employee’s performance is unacceptable in one or more critical elements at the end of the rating cycle (June). The supervisor must then prepare an OTI plan to allow the employee an opportunity to demonstrate acceptable performance. The rating period is extended.

If the employee’s performance improves to the “Acceptable” level during the OTI period, no performance-based action is warranted. The employee is given an “Acceptable” rating of record to be filed in his/her Official

QUESTIONS AND ANSWERS

Q. Now that we are using a two level acceptable/unacceptable” rating system, does performance appraisal really matter any more?

A. Certainly under the new two level system, the final rating itself will have much less importance. Hopefully, this should cut down on the anxiety that arose in the past when you had to decide whether a person’s performance was outstanding, fully successful, or something in between. Now the vast majority of your employees will get a yearly rating of “acceptable.”

What is important in the new system is the appraisal process itself – the mutual efforts to set clear, realistic, yet challenging standards and the appraisal feedback that is given throughout the rating period on how well the employee is doing. It is hoped that with the elimination of the concern for “what will I be rated” that the mutual exchange of ideas and feedback will help both employees and their supervisors understand better what is expected and possible.

Q. My employee doesn’t like the elements and standards I developed. Do I have to redo them?

A. No. While supervisors and employees are encouraged to work together in developing standards and elements, the supervisor is responsible for developing and setting standards.

Q. What do I do if an employee refuses to sign the performance plan when I set standards?

A. Annotate in the employee’s section on the front page of performance plan “Employee refused to sign” and be sure to add date. GIVE THE EMPLOYEE A COPY.

QUESTIONS & ANSWERS

Q. Can I give an employee a presumptive rating of “Acceptable?”

A. No. If you have not set standards and/or its too late to set standards and elements and extend the rating cycle, then the employee cannot receive a rating of record for that appraisal cycle.

Q. It’s now one month before the end of the appraisal cycle and I haven’t set standards, what do I do?

A. Meet with the employee as soon as you can to set standards and elements and extend the employee’s rating beyond the appraisal cycle. As soon as the employee has been on standards and elements for 90 days, close out the performance plan.

Q. The first line supervisor set standards at the beginning of the appraisal cycle. Two months before the end of the appraisal cycle, he or she is reassigned to Camp Lejune. How is the employee going to be rated for the end of the year?

A. Before the first line supervisor leaves for her reassignment, she should close-out the performance plans for all his employees by assigning them a rating of either “Acceptable” or “Unacceptable.” This close-out rating then can be used as the employee’s official rating of record.

Q. Can employees grieve standards and elements?

*A. No. Employees can only grieve **their rating of record and ratings on individual critical elements.***

Q. If I decide to take a performance-based action and the employee appeals what was done, what will I be expected to prove?

A. What you will be expected to show is that the position description is accurate and that the standards developed are tied to the functions described in the position description. Next, you will need to show that the performance standards are realistic, consistent with the standards set for other similar employees and that the employee was given and understood the standards and had the opportunity to improve his or her performance.

QUESTIONS AND ANSWERS

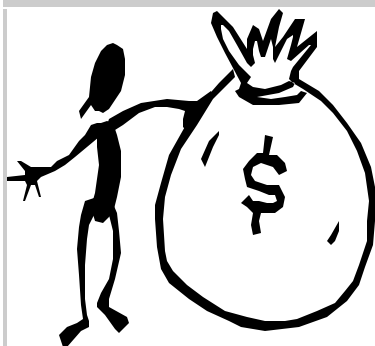
Finally, you will need to show how the employee failed to meet the standards. Your Employee Relations advisor is here to help you with these requirements.

[Table of Contents](#)

INCENTIVE AWARDS

Purpose

Monetary Recognition



The DON **Incentive Awards** program is designed to encourage and recognize civilian personnel for significant contributions made to the mission and priorities established for the DON at all levels. The program should motivate employees to increase productivity by recognizing creativity in the workplace and by rewarding employees and groups of employees as soon as possible after contributions are made.

It is the policy of the NNMC that performance awards based **exclusively** upon the annual rating of record will **not** be given to civilian employees. Uncoupling the granting of monetary awards based exclusively on the annual performance rating is consistent with the transition to a two-level performance rating system.

Special Act Award

This award is used to recognize a group or individual effort which significantly goes beyond what is expected under job performance plans. The Special Act Award is used to recognize exemplary efforts, such accomplishment of significant important to the organization, a special assignment that involved overcoming unusual difficulties, an act of heroism, or efforts that eliminated waste, fraud and abuse.

On-the-Spot Award

Supervisors and employees are faced with increasing work load demands due to changing priorities, technological breakthroughs and generally a need to get more done with less. Employees often help by taking on extra projects or proposing new ideas that have an immediate benefit to their office's ability to get the job done. To recognize an extra work effort made by an employee, supervisors are authorized to propose an On-the-Spot Award up to \$750.00 as a form of Special Act Award.

Quality Salary Increases

Quality Salary Increase

The purpose of Quality Salary Increases (QSI) is to provide appropriate incentives and recognition for excellence in performance by granting faster than normal step increases. Unlike cash awards, which are a one-time payment for an achievement, QSIs become part of the employee's pay and affects costs throughout the employee's career. Therefore, careful consideration should be given before granting a QSI. To be eligible for a QSI, General Schedule employees must meet the following criteria:

1. Received a rating of record of "Acceptable;"
2. Demonstrated sustained performance of high quality significantly above that expected at the "Acceptable" level;
3. Made a significant contribution to the organization's mission; and
4. There must be an expectation that the high quality performance will continue in the future.

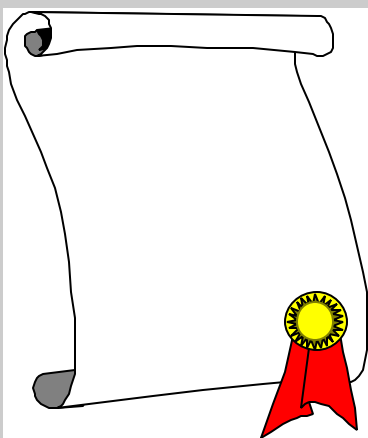
Major Honorary Awards

Non-Monetary Awards

These awards are granted for significant one-time achievements of an individual or group for sustained outstanding career achievements of an individual. The following awards are major honorary awards.

Navy Distinguished Civilian Service Award

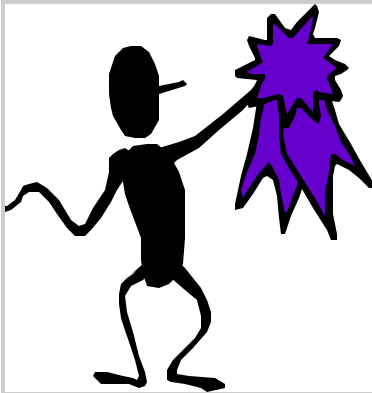
Navy Distinguished Civilian Service Award (DCSA) is the highest form of recognition award the Secretary of the Navy (SECNAV) can confer on a DON civilian employee. The DCSA is granted only to those employees who have given distinguished and/or extraordinary service to the Navy. The achievements or service must be truly exceptional when measured against the position requirements of the individual, and should far exceed the comparable responsibilities. Further, the DCSA should be reserved for contributions which are so unusual and/or significant that recognition at the SECNAV level is deserved.



Specific examples indicators include: A pattern of long-term, sustained high performance as evidenced by the nominee having previously received high honorary awards (e.g., SCSA and/or MCSA, or similar awards or honors); career achievements that are recognized throughout the DON; indications of innovative leadership of highly successful programs or projects which have impacted beyond the nominee's activity or command; or unusual acts of heroism, successful cooperative efforts with other DON offices, federal agencies, or the private sector.

Department of the Navy Superior Civilian Service Award

Other non-monetary awards.



Department of the Navy Superior Civilian Service Award (SCSA), which is granted by Major Commands, is the second highest form of public service recognition available within DON. This award is granted for significant contributions having broad impact. Such contributions, while not necessarily affecting the entire DON, must have substantially benefited a major organizational element or a large geographic area.

Department of Navy Meritorious Civilian Service Award

Department of Navy Meritorious Civilian Service Award (MSCA), which is granted by activity heads, is the third highest form of public service recognition available in DON. The basis for this award is a significant contribution with substantial impact upon a given activity or a specific geographical area. This award should **not** be used as a retirement award. However, if a significant accomplishment occurs close to retirement, it may be acceptable to present it at retirement.

The Department of the Navy encourages activities to use a wide range of non-monetary awards to recognize and thank personnel for contributions of minor impact or benefits. These awards are **non-cash** awards and usually take the form of a certificate, plaque, tie tack, belt buckle, coffee mug, letter of commendation, or some other token form of recognition that has symbolic value to the organization.

These awards recognize significant milestones in employee's careers. These awards recognize total Federal service, including civilian and all honorable military service. The Length of Service

(LOS) certificates are available in five-year increments and recognize service from five to fifty years. Commands and activities may also develop and print their own LOS certificates.

Career Service and Retirement Certificates

Standard career service and retirement certificates may be obtained from the HRO-W. The signature of the Secretary of the Navy may be obtained on career service and retirement awards for **forty or more** years of service. To obtain the Secretary's signature, the following procedures must be adhered to:

1. A memo requesting the Secretary's signature should accompany the appropriate certificate with the honoree's name and number of years of service already printed on it. A return envelope should also be provided. The certificate should not be dated, as it will be dated when signed. Certificate should be carefully packaged to avoid damage in transmit.
2. Requests should be submitted as far ahead of the needed date as possible. The requesting memo, certificate, and the return envelope should be sent to the following address:

SECRETARY OF THE NAVY
ADMINISTRATIVE DIVISION
THE PENTAGON
ROOM 4D680
WASHINGTON, DC 20350

Time-off awards are an alternate and/or additional means of recognizing the superior accomplishments or achievements of employees with other than monetary or non-monetary awards. Decisions to grant time-off awards shall be based upon the same criteria or circumstances as for any other award. Examples of achievement which may be considered for a time-off award:

1. High-level performance;
2. Making a high quality contribution involving a difficult or important project or assignment;

Length of Service Awards

Career Service Recognition

Time-Off Awards

3. Displaying special initiative and skill in completing an assignment or project before the deadline;
4. Using initiative and creativity in making improvements in a product, activity, program, or exhibiting exceptional customer or patient service;
5. Ensuring the mission of the unit is accomplished during a difficult period by successfully completing additional work or a project assignment while maintaining the employee's own workload; or
6. Accomplishing a specific, one-time or special assignment that required extra effort or resulted in the organization receiving recognition for responsiveness to unexpected workload or patient demands.

Limitations on Time-Off Awards

The total amount of time-off that may be granted to any one individual in any one leave year is 80 hours. For part-time employees or those with an uncommon tour of duty, the total time that may be granted during any calendar year is the average number of hours of work generally worked during a pay period.

The maximum amount of time-off that may be granted to an individual for single contribution is 40 hours. For part-time employees or those with an uncommon tour of duty, the maximum award for any single contribution is one-half the maximum amount of time that would be granted during the year.

The introduction of a two-level performance management program has eliminated the practice of justifying performance awards based on the annual performance rating. This change places significant demands on supervisors and managers to recognize exceptional and unique performance **throughout** the rating year. Appendix E was prepared to help Navy Medicine managers and supervisors understand the amount that exists in recognizing employees.

QUESTIONS AND ANSWERS

Q. Can time-off awards be converted to cash?

A. No. Time-off awards cannot be converted to cash under any circumstances.

Q. Is there a limit on the number of incentive awards an employee can be awarded?

A. No. There is no limit on the total number , but there are some limits about the frequency in which some awards may be given (e.g., only one quality salary increase may be granted within any 52 week period).

Q. Can an employee file a grievance for not receiving an incentive award?

A. No. Failure to receive an incentive award is not grievable; however, an employee may file an EEO complaint alleging disparate treatment.

Q. In March 1998, I awarded a QSI to my best employee. It is now January 1999, can I award him another QSI based on sustained high quality performance?

A. No. Employees can only be awarded one QSI within any 52-week period.

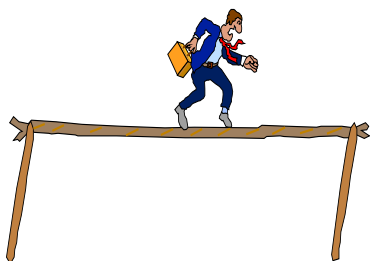
Q. I want to give my employee an on-the-spot award for \$850.00; however, the limit of on-the-spot awards goes to \$750.00. What do I do?

A. Nominate your employee for a special act award.

Q. What format should I use when recommending an employee for an award?

A. There is no prescribed format to use when recommending an employee for an award. Managers and supervisors may use any format they choose from a memorandum to a letter of commendation. The only criteria are that the award is justified in terms of the criteria for that particular award.

THE PROBATIONARY PERIOD



Supervisor's Responsibilities

The 1-year probationary or trial period is regarded as a final and highly significant step in the examining and hiring process. It provides the final test, that of actual performance on the job, which no preliminary testing methods can approach in validity. During this period, you can carefully appraise an employee's conduct, general character traits, and performance to determine whether the employee should be retained or separated. It is also a time for you to provide the employee with training and guidance. Normally a probationary period is required when an employee is given a career or career conditional appointment from an Office of Personnel Management Register. Although this is the most common condition requiring a probationary period there are other situations which warrant one. Generally speaking, an employee who transfers from (or within) an agency from one permanent position to another would not be required to serve a probationary period, but if they are it will be annotated on the Notification of Personnel Action (SF-50) documenting the appointment. Refer to HRO-W Instruction 12300.3D, Trial or Probationary Period, and exit Interview, for additional information.

The overall goal of a successful probationary period is to insure that a new employee can be depended upon to perform well in the position assigned. For this reason, the supervisor should make the effort to do the following:

1. Inform the probationary employee about what is expected with a brief orientation to the mission of the office, work hours, leave policy, and insure that he or she has a position description, etc.
2. Establish a clear and understandable performance plan. Discuss what is expected of the employee to make sure he/she understands the duties and responsibilities of the position.
3. Identify problem(s) that may arise during the probationary period and offer assistance (training, physical move, closer supervision, etc.).

Separation Procedures

4. Meet with the employee regularly and provide feedback, both positive and negative, and suggestions to the employee.
 5. Document acceptable and unacceptable instances of the employee's conduct and/or performance. Make sure the employee gets a copy of any notes from your counseling sessions.
 6. Make a final evaluation and determination as to whether the employee should be retained, reassigned, or separated.
-

Separation procedures during the probationary period may be recommended *at any time* after the employee has been working and counseled regarding appropriate policies and procedures for the office, and documentation collected which is sufficient to inform the employee why he or she is being removed.

In documenting recommendations that the employee should not be retained, supervisors should document that the employee was:

1. Informed and aware of performance standards;
2. Given guidance and training;
3. Counseled regarding specific conduct and/or performance deficiencies; and
4. Given an opportunity to improve.

If after the above process is completed, the employee is still not performing up to expectations, then separation is appropriate. Again, you are urged to discuss your intent and show your documentation to your Labor and Employee Relations advisor before you notify the employee.

QUESTIONS AND ANSWERS

Q. Do I receive notification from personnel that an employee is about to complete a probationary period?

A. Yes, approximately nine to ten months after the beginning of he probationary period a computer generated report is sent to supervisors.

Q. What type of documentation is needed to remove a probationary employee for unsatisfactory performance or conduct?

A. At a minimum, the supervisor notifies the employee in writing citing the employee's factual deficiencies.

Q. Do probationary employees have appeal rights?

A. Normally, no. However, an employee may appeal to the Merit Systems Protection Board (MSPB) a separation which he or she alleges was based on (i.) partisan political reasons (political affiliation) or marital status; or (ii) file a complaint through Equal Employment Opportunity (EEO) based on race, color, religion, sex, national origin, disabling condition, or age.

Q. When does the probationary period end?

*A. The probationary period ends at the close of business 1-year from the date of appointment. Thus, if an employee was appointed on Sunday, March 11 with a regular tour of duty (Monday-Friday) from 8 a.m. to 4:30 p.m., he or she would complete probation at the close of business on Friday, March 8 the following year. A termination made effective on March 8 with no time specified would become effective at midnight-**after the probationary period had been completed**. This means that the employee must be removed **before** the close of business on the last day of the probationary period; otherwise, the employee automatically completes probation and the agency must then take an adverse action to have the person removed from the Federal service.*

CONDUCT VS. PERFORMANCE

This chapter provides advice on identifying whether you are facing a conduct problem *or* a performance problem.

As a supervisor, one of the most difficult situations you will have to face is handling a problem employee. You can be sure that at some point in your management career, you will have an employee whose conduct or performance is unacceptable. Therefore, the first step in dealing with the problem employee is to figure out whether the issue is poor performance or conduct. Sometimes, this is not easy to distinguish. Both performance and conduct impact on an employee's ability to do his or her job.

Often, we describe a performance problem in terms of a "can't do it" situation and a conduct problem as a "won't do it" situation. For example, an employee has an improper attitude on the job. You need to decide whether the attitude problem is hindering the employee's ability to do his or her job. If so, you may be faced with a performance problem. On the other hand, if the improper attitude is disrupting the work of other employees, it can be defined in terms of its impact on the efficiency of the office (conduct).

Factual Documentation

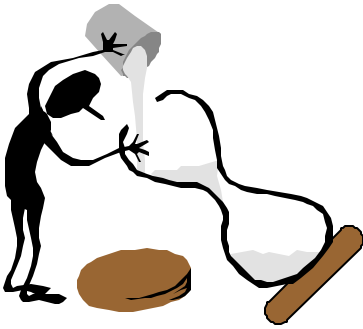
Either type of action, performance or conduct, must be substantiated by factual documentation. As a supervisor, you have the responsibility of properly documenting misconduct or poor performance so that there is sufficient evidence (or proof) to support any action that may be taken.

Conduct

Here are some questions to consider:

- * *Is the employee coming to work late almost every day?*
- * *Does the problem involve obscene language or insubordinate behavior?*
- * *Has the employee been drinking on the job?*
- * *Have the time and attendance cards been changed?*
- * *Has the employee refused to perform an assigned task?*

Documenting Misconduct



- * *Are government cars or credit cards being used for other than official business?*

If the answer to any of these questions is **YES**,

THEN YOU HAVE A CONDUCT PROBLEM!

You've determined that, in fact, it is a conduct problem. What's the next step? You must prove it! For example, one of your employees is consistently tardy. You must establish the extent of the problem by documenting the dates on which the employee has been late and the length of the lateness. "On January 15, you were 15 minutes late, on January 16, you were 22 minutes late, on January 18, you were 30 minutes late." {Refer to Correcting Leave Problems}

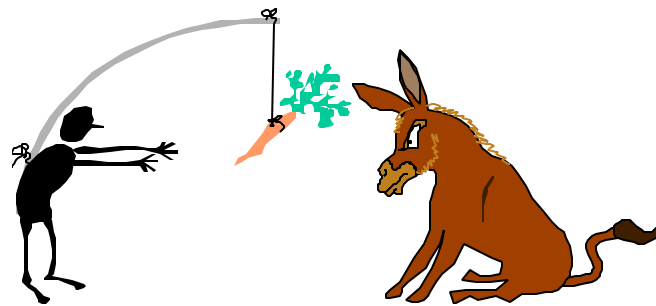
The following outline should assist you when documenting misconduct:

- * *What happened (include copies of appropriate documents such as falsified time and attendance cards, sign-in/sign-out sheets, etc.)?*
- * *Who was involved/who witnessed the incident? (Obtain witness statements describing the misconduct: who, what, when, & where)?*
- * *How did it happen (include mitigating or aggravating circumstances)?*
- * *Where and when did the incident occur?*
- * *Was employee aware of the rule or regulation? Cite the violation.*
- * *Were previous warnings given or disciplinary actions taken? (include copies)*
- * *Indicate the impact on employer/employee relationship or the efficiency of the Department.*

INSUBORINATION AND FAILURE TO FOLLOW INSTRUCTIONS

As a supervisor, you will face many critical employee issues:

1. Apply rules fairly and equitably.
2. Document problems.
3. Keep employees informed.
4. Counsel employees and give them an opportunity to improve.



I REFUSE TO DO THIS WORK ASSIGNMENT!!

Definition

- * **Insubordination** reflects a deliberate, willful, and intentional failure to comply with lawful and reasonable instructions of an official superior. For example: If a supervisor gives an employee instructions that are reasonable and clearly understood and the employee refuses to comply, this is considered insubordination
- * **Failure to Follow Instructions** occurs when an employee fails to carry out a written or verbal instruction. For example: An employee is told to submit a report by close of business and fails to do so.

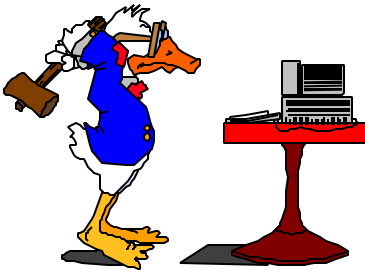
In either situation, the order or instruction must be reasonable, and supervisors should give clear, specific work-related instructions concerning what is expected from the employee. It is important to tell what, when, why, where, who, and how the job is to be done.

Documentation

Supervisors will need to provide documentation to support misconduct that answers the following questions:

- * What was the specific instruction and date given? (What was the employee told to do?)
- * What occurred? (How did the employee fail to carry out the instruction?)
- * How should the employee have known what was expected (e.g. directive, written or verbal instruction, previous warnings/counseling)?
- * Was it deliberate or unintentional?
- * Was the instruction reasonable? If so, how?
- * Were there previous warnings or counseling provided to the employee?

Violence or Making



Threats in the Workplace

“I could do to her what they do in the Post Office.”

“I feel like killing someone.”

“If Mr. Jones, tells me what to do one more time, he won’t alive long.”

“Remember that when I get angry, I can’t be responsible for what I do.”

Management has an obligation to make the workplace a safe environment for employees to work in and customers to visit without fear or threat of bodily harm. Violent behavior or threat of violent behavior is not tolerated in the workplace. While every perceived threat of violence may not result in removal from the Federal service, management has an obligation to take corrective action against employees who engage in workplace violence or make threats against coworkers or customers.

What should you do when an employee threatens his or her supervisors or coworkers?

1. Call security to request assistance to remove the employee from the immediate workplace.

Documentation

2. Notify your chain-of-command regarding the threat of violence. Inform them of the situation and to put them on notice that the supervisor may request that the employee be placed on administrative leave.
3. Call the Human Resources Office, Washington, Bethesda Satellite Office, Labor Management Relations Department.
4. Collect witnesses' statements documenting the employee's actions and statements as soon as is feasible. Remember the faster you collect the statements the clearer will be the witnesses' recollections. Also by waiting you run the risk that the witnesses may be less willing to come forth and tell what happened.

You should include:

- What was said? (Quote as much as possible)
- What tone of voice was used when the threats were made (loud, angry, or normal tone of voice)?
- Did the witnesses change their behavior in response to the threats made? If so, what did the witnesses do differently?
- Who was present?
- Who was the statement directed towards?
Be sure to document as much as possible:
 - a. The listener's reaction
 - b. The listener's apprehension of harm
 - c. Context in which the appellant made the threatening statements or gestures
 - d. Any conditional nature of the statements; and
 - e. The attendant circumstances.

In cases of employees threatening violent behavior, it is important to collect specific documentation, which clearly describes the circumstances, surrounding the employee's threat of violent behavior.

Drinking while in an active Duty Status



Champagne for lunch!

Supervisors should take the following steps:

The Federal government does not prohibit employees from drinking alcoholic beverages while on their own time. Reporting to duty under the appearance or influence of alcohol, so that the employee cannot safely carry out their duties and responsibilities, is unacceptable and will not be tolerated. An example of the aforementioned situation could be a strong odor of alcohol on the employee's breath.

What do you do when an employee reports to duty under the influence of alcohol?

The following steps should be taken if you suspect an employee is unable to work because of alcohol consumption:

1. Make sure the employee is safe and not in a position to harm himself or herself, others, or property.
2. Call security to remove the employee from the area if he or she is causing a scene and refuses to leave the area. In those cases, where the employee is in medical distress, you may have to contact the emergency room or occupational health.
3. Document the employee's behavior. Note how the employee's breath smells, any eye irritations, changes in gait, and unusual speech patterns such as slurring of words and belligerent speech. Be sure to get witness statements and observations as soon as possible after the incident.
4. Ask the employee if he or she would like to take sick or annual leave. If the employee is intoxicated and cannot drive, call a taxi or a relative to take the employee home. If the employee agrees to take leave but has no available leave, charge him or her leave without pay.
5. If the employee does not agree to take leave without pay, notify the chain-of-command to request the employee be placed on administrative leave.
6. Call the Human Resources Office, Washington, to discuss ordering the employee for a fitness for duty examination, to initiate disciplinary action, and to inquire about referring the employee to the Civilian Employee Assistance Program. Only

personnel in positions with required medical standards can be ordered to undergo a fitness-for-duty examination.

RIGHT TO DISCIPLINE

The right to discipline an employee for misconduct is based solely on your need to accomplish your mission, and not on your disapproval of the employee's personal lifestyle. If the misconduct does not affect mission accomplishment and does not have a direct connection to the job, it is *normally* beyond the scope of proper workplace disciplinary action.

Be Progressive

Discipline should be progressive with the goal to correct misconduct, not to punish. A progressive disciplinary action ordinarily should be in proportion to the misconduct to be corrected; i.e. it should be the minimum action that can reasonably be expected to correct the problem. Progressive discipline should also increase in severity as the misconduct is repeated.

The Douglas Factors-Sum It All Up

The Merit Systems Protection Board, which reviews the propriety of disciplinary actions, has identified several issues, the **Douglas Factors**, which supervisors should consider when selecting a disciplinary penalty. These factors are as follows:

1. The nature and seriousness of the offense and its relation to the employee's duties, position, and responsibilities, including whether the offense was intentional, technical, or inadvertent or was committed maliciously or for gain or was frequently repeated;
2. The employee's job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position;
3. The employee's past disciplinary record;
4. The employee's past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability;
5. The effect of the offense upon the employee's ability to perform at a satisfactory level and its effect upon a supervisor's confidence in the employee's ability to perform assigned duties;

The Douglas Factors - Continued

6. Consistency of the penalty when compared to other employees for the same or similar offense;
7. Consistency of the penalty with applicable agency table of penalties;
8. The notoriety of the offense or its impact upon the reputation of the agency;
9. The clarity with which the employee was on notice of any rules that were violated in committing the offense or had been warned about the conduct in question;
10. Mitigating circumstances surrounding the offense, such as unusual job tensions; personality problems; mental impairment; harassment; or bad faith, malice, or provocation on the part of others involved in the matter; and
11. The adequacy and effectiveness of alternate sanctions to deter such future conduct by the employee or others.

Correcting misconduct is really a matter of common sense and fairness. It is never easy to take a disciplinary action. The only thing more difficult is not taking the action and then suffering the long-term consequences.

We have talked about when disciplinary action may be necessary and identified some things to consider when choosing the proper action to take. Now let's discuss the various types of disciplinary actions available and the necessary steps involved in taking them.

Off to a Good Start



Options, Options, Options

Informal is First

Informal disciplinary actions are usually the first step in correcting misconduct. Most of the time, counseling and oral or written warnings will be sufficient to correct the problem behavior. No procedural requirements exist for informal discipline; just tell the employee what's wrong, and what improvement is needed. This can be done in a Letter of Caution. A Letter of Caution may be based on specific improper conduct, but more often is based upon a *pattern* of unacceptable behavior or performance. A letter of caution warns an employee that continued unacceptable behavior or performance could lead to disciplinary action. The employee is not being disciplined at this point but, instead, is being cautioned that discipline may result *unless* a change in performance or behavior is forthcoming.

... But not always

Of course, some offenses are serious enough to make informal discipline too little and too late. For these offenses, you are not required to try informal discipline first. In these cases, or when informal discipline already has been tried and proven unsuccessful, formal disciplinary action is called for.

Formal Follows

In the Department of Navy, the least severe form of formal disciplinary action is the Letter of Reprimand. It describes in detail the misconduct and why it is unacceptable; it remains in the employee's Official Personnel Folder (OPF) for two years. It may be used to support a more serious disciplinary action should similar or other offenses occur.

Suspensions - The buck stops here!

After the written reprimand, a suspension is the next step in escalating the severity of disciplinary actions. A suspension is the involuntary, temporary placement of an employee in a non-duty, non-pay status for disciplinary reasons. Suspensions can be either those of 14 calendar days or less or those of 15 days or more. Both types result in a loss of pay. Before an employee is suspended, a supervisor with delegated authority must propose this suspension. After the issuance of the proposed suspension, a managerial official with authority to effect discipline, renders a decision based upon the case file to either suspend the employee, mitigate the suspension to a lesser penalty, or to cancel the proposed suspension.

An employee has the right to grieve under the Department of Navy (DONs) administrative grievance procedures for non-bargaining unit employees or the negotiated grievance-arbitration procedure for bargaining unit employees when the suspension is 14 calendar days or less.

An employee who is suspended over 14 calendar days, removed, or reduced in grade or pay may appeal to the Merit Systems Protection Board (MSPB) not later than 30 days after the effective date of the adverse action. For employees covered under a collective bargaining agreement, the employee may elect to file a grievance under the negotiated agreement or appeal the action to the MSPB, *but not both*.

The Commander has delegated authority to line managers to propose and effect adverse action in accordance with NNMCI Instruction 12000. You should review your command instruction to determine what authority has been delegated to you.

WITHIN-GRADE INCREASE DENIAL

At the beginning of any rating period, the employee must be informed by the supervisor of the performance level required to be at an Acceptable Level of Competence (ALOC). Therefore, a performance plan must be established.

Purpose

Supervisors also are expected to meet periodically with the employee to discuss performance and provide the employee the opportunity to provide feedback and seek assistance as necessary.

When an employee's work performance falls below "Acceptable", the employee's WIGI should be denied. Normally, the supervisor receives a computer printout provided by personnel indicating an employee's eligibility for a within-grade increase. The printout is provided by personnel indicating an employee's eligibility for a within-grade increase. The printout is only signed and dated by the immediate supervisor to indicate disapproval of the increase. If the employee's performance is "acceptable," then *no additional action* is required by the supervisor. The WIGI will be granted automatically.

***Basis for
Determination
When a WIGI
Should be Denied***

The determination must be based on the most recent appraisal of the employee's performance during the waiting period. If that appraisal is not consistent with the current performance of an employee, you must prepare a new appraisal.

***How To Deny a
WIGI***

If the employee's performance is not at an acceptable level of competence, the negative decision to deny the WIGI must be communicated to the employee as soon as possible after completion of the waiting period. Denial of a WIGI is not something you want to undertake without some help, so seek advice from your personnel advisor when you initially sense a problem.

As with all decisions concerning performance, the notice of denial must contain:

- Specific reasons for making the decision to deny based on the elements and standards established for the employee's position; and
 - What the employee needs to do to improve his or her performance
 - A statement about the "Right to Request Reconsideration."
-

The following documentation should be provided to your personnel advisor when you are contemplating denying a WIGI:

- The Performance Appraisal which indicates that performance is at less than an acceptable level of competence; AND
- The documentation relied upon to support your negative determination. This may include copies of work documents, typing, reports, counseling memos, etc.

Reconsideration of a Negative Determination

The employee or the employee's representative may request reconsideration of the negative determination by submitting a written response to the negative determination, citing the reasons the Designated Deciding Official (DDO) should reconsider the decision, not more than 15 calendar days from receipt of the determination notice.

When the employee submits such a request, the DDO will establish a reconsideration file containing all pertinent documentation relating to the negative determination and the request for reconsideration, including copies of the following:

1. The written negative determination and the basis for the decision;
2. The employee's written request for reconsideration;
3. The report of investigation (if one is made);
4. The written summary or transcript of any personal presentation made; and
5. The DDO's final decision on the request for reconsideration.

The reconsideration file shall **not** contain any document that has not been made available to the employee or the employee's representative. The employee or representative shall have an opportunity to submit a written exception to any summary of the employee's personal presentation.

An employee in duty status will be provided a reasonable amount of official time to review the material used to support the negative determination and prepare a response. Your personnel can help you determine what is a "reasonable" amount of time.

The DDO will render a decision within 15-30 calendar days of the request for reconsideration.

When the DDO sustains a negative determination upon reconsideration, the employee will be informed *in writing* of the specific reasons for the decision and, if applicable, of the employee's appeal to the Merit Systems Protection Board (MSPB). For employees covered by a collective bargaining

agreement, a reconsideration decision that continues to deny the WIGI is only reviewable under the terms of found in the negotiated agreement.

If an initial negative decision is reversed on appeal, the within-grade increase will be granted, retroactively, to the original anniversary date.

Continuing Evaluation After Withholding a WIGI

You may grant the WIGI at any time after you determine that the employee has demonstrated sustained performance at an acceptable level of competence. It usually takes 45 days (but can be longer) to determine if an employee has demonstrated sustained performance at an acceptable level, depending on the nature of the employee's work. At minimum, you must make a determination again after each 52 calendar weeks following the original eligibility date for the WIGI which was denied.

A new performance Appraisal Report (for WIGI purposes) must be prepared and sent to your personnel advisor, as soon as you are satisfied that the employee has demonstrated sustained performance at an acceptable level of competence.

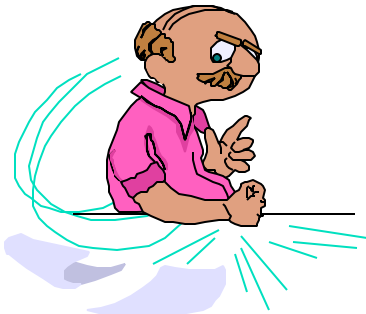
You do not need to wait until the next appraisal period to make a re-determination of a denied WIGI. Once granted, the WIGI is *not* retroactive to the original due date.

Appeals to the Merit Systems Protection Board (MSPB)

The HRO-W has responsibility for representing the Department of the Navy in appeals on the withholding of a within-grade increase accepted for review by the MSPB. For this reason the HRO-W will play an active part in advising you at all stages of the denial process.

LEAVE ADMINISTRATION

Authority to Deny or Cancel Leave



Supervisor's Responsibilities

“It’s my leave and I can use it at any time I want to.”

“I don’t have to provide medical documentation to justify my use of sick leave of less than 3 days. Read the form!”

Employees frequently make these statements; they are false.

The following guidance on leave administration results from some of the more frequent inquiries received from employees and supervisors. Also addressed are corrective actions, if problems occur with an employee’s leave usage.

Supervisors and managers should provide employees with instructions (usually written) concerning office leave procedures/policies. This should include information on when and to whom leave requests will be submitted, when medical documentation is expected, what is acceptable lead time for requesting planned leave, and conditions under which leave might be advanced.

Supervisors should require employee to submit a written request or application for leave (SF-71). Leave approval *is* a discretionary matter. Normally, authority to approve leave requests is delegated to the lowest supervisory level having personal knowledge of the work requirements and of the employee’s leave record. It is also a good idea to designate an alternate-approving officer. Consequently, a supervisor has the delegated authority to:

1. Approve/disapprove leave requests.
2. Schedule employees’ leave so that work requirements are met;
AND
3. To take appropriate action when employees are suspected of abusing leave privileges.

Authority to Deny or Cancel Leave

Denial of leave request or cancellation of approved leave normally needs to be based on the necessity for the employee's services. Leave must not be denied or canceled for arbitrary or capricious reasons. Denial or cancellation of leave is not disciplinary in character and must not be used as a punitive measure. Remember that an employee who has earned leave is entitled to have a reasonable opportunity in which to use that leave.



ANNUAL LEAVE

Annual leave is time granted to allow an employee a vacation for rest and recreation or for personal and emergency reasons. Several factors should be taken into consideration prior to granting leave; e.g., workload, the need to use leave before the end of the leave year, etc.

Employees earn annual leave based on the amount of Federal Service they have to their credit:

<u>FULL TIME EMPLOYEES</u>	<u>EARN</u>
Less than 3 years	4 hours each pay period
More than 3 but less than 15 years	6 hours each pay period
15 or more years	8 hours each pay period

<u>PART-TIME EMPLOYEES</u>	<u>EARN</u>
Less than 3 years	1 hour for each 20 hours in pay status
More than 3, less than 15 years	1 hour for each 13 hours in pay status
15 or more years	1 hour for each 10 hours in pay status

Workload

Remember, employees rarely have an empty "IN" basket. In some work situations, it may be necessary for the supervisor to notify employees that during a particular time period, no leave requests will be approved. Examples of such time periods may include end of the fiscal year deadlines, end of the budget cycle, special project, JACHO, or periods when the *USS Comfort* deploys, etc. Employees should be notified far enough in advance so they can make plans around these periods.

***Workforce or Office
Coverage***

A supervisor should determine how many employees are needed for office coverage. This becomes difficult around the holiday seasons and when holidays fall in the middle of the week. The supervisor has the responsibility to make sure that there is sufficient staff to get the work done.

***Significance of the
Reason
(May or May Not Be
Considered)***

Along with approving leave requests, the supervisor has the responsibility of deciding who will be granted leave when there is a conflict. Union contracts often address this decision.

Management has the primary responsibility for planning and effectively scheduling annual leave *throughout the leave year*. Any dispute between employees desiring the same period of annual leave should be resolved on an equitable basis such as length of service, who had the day after a holiday the previous year, etc. Inform the employee as soon as possible that the Leave Request is not approved, and discuss alternate dates that would be acceptable to you. Conflicting leave requests often occur at the end of the leave year (late December through early January) when personnel face a “use or lose” situation. To avoid such conflicts, supervisors should monitor encourage personnel to schedule and use their leave throughout the leave year and not store it up until the end of the leave year and then put in for several weeks. Again, check the union contract.

A supervisor should normally be able to render a decision on leave requests made by employees after considering workload, workforce, and prearranged leave requests. **Employees are not required to provide a reason for the request for annual leave;** however, they may volunteer the information. Employees have an obligation to request leave in a timely manner and as far in advance as possible.

Emergency Leave

Occasionally, an employee may be unable to request leave in advance because an emergency situation arose. An employee is responsible for reporting unforeseen absences within a specified time period to his or her supervisor. If the employee calls in and says, “something has come up,” you should ask a few questions. While you don’t need to get into a “nitty-gritty” discussion about the nature of the personal emergency, explain to the employee that you can’t approve the request unless you have more information than initially provided. You must know specifically how much time the employee is asking for and when the employee expects to return to work. Never approve an open-ended request. Put the burden on the employee to give you what you need to make an informed decision. If the employee refuses to provide the information that you think is necessary, simply deny the request for leave and order the employee to report for work. Emergency situations do arise relating to sickness, car problems, etc., but to count as an emergency they should be rare.

There may be some exceptional cases that may arise when an employee is caring for an exceptional child or an older relative and it is difficult to predict when emergencies may arise. It is the employees responsibility to notify YOU as the supervisor in advance and explain and get your advanced agreement of what limitations you have and what procedures the employee is to follow.

It is not acceptable for an employee to call in and leave a message with the secretary or some other coworker or simply leave a message that he or she won’t be in on an answering machine. Leave has to be *approved*, so someone who has the authority to act on the employee’s request for leave must approve the employee’s absence. If it is not, then the employee is technically AWOL. Be sure that all of your employees understand this requirement.

Often, employees call in and say, “Put me on leave.” Stress that the purpose of the call is not only to *notify* the supervisor of the unexpected absence but also to request that the supervisor approve the type of leave requested.

Don’t Leave a Message



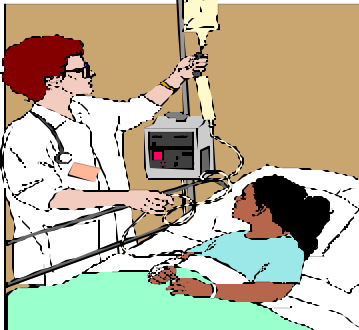
SICK LEAVE

Full-time employees earn 4 hours of sick leave each pay period and part-time employees earn 1 hour of sick leave for each 20 hours in a pay status. A supervisor ordinarily has less control on the use of sick leave because of its emergency nature. The employee's usually provides his or her own certification for absence of short duration due to illness. However, in the cases of non-emergency situations; e.g., routine doctor's appointment, dentist appointment, etc., a request for sick leave may be denied if it is determined that the employee's services are needed in the office.

Sick leave shall normally be granted when an employee:

What's Earned?

1. Receives medical, dental, or optical examination or treatment;
2. Is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth;
3. Provides care for a family member as a result of physical or mental illness; injury; pregnancy; childbirth, or medical, dental, or optical examination or treatment;
4. Makes arrangements necessitated by the death of a family member or attends the funeral of a family member;
5. Would jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease (as determined by the health authorities having jurisdiction or by a health care provider); or
6. Must be absent from duty for the purposes relating to the adoption of a child, including appointments with adoption agencies, social workers, and attorneys; court proceedings; required travel; and any other activities necessary to allow the adoption to proceed.



ADVANCED SICK LEAVE

Sick leave may be advanced to employees in deserving cases of serious disability ailments, when the exigencies of the situation so require, subject to the following conditions:

1. Advances are to be limited to instances of serious disability of ailments, and only with medical certification;
2. The amount of advance sick leave to an employee's account may never exceed 30 days (240 hours) at any time;
3. The amount of sick leave to the employees' credit must be exhausted;
4. The amount of sick leave advanced to an employee serving under a temporary appointment will be limited to the amount that would be earned subsequently during the course of the appointment;
5. Payment of advanced sick leave will cease if circumstance warrant its termination.

Advanced sick leave must be repaid unless the employee retires on disability.

How to request advanced sick leave

Employees must request advanced sick leave in writing and must furnish a medical statement to substantiate that a serious illness or injury exists and that they are, or will be, incapacitated from performing their duties. This statement should also affirm that it is believed the employee will be capable of subsequently returning to work and fulfilling the full scope of their job.

Absences of 3 Workdays

A supervisor may require that an employee to submit a medical certificate or other acceptable certification for absences in excess of 3 workdays. Normally, an employee's own certification as to reasons for absence on account of illness is acceptable for an absence of 3 workdays or less. If, however, the supervisor has reason to believe that the employee is improperly using sick leave, or abuse of sick leave is suspected, acceptable evidence may be required for an absence of 3 workdays or less.

The supervisor should advise the employee (orally or in writing) as to the reason for requiring the medical evidence and the type of acceptable evidence (e.g., certificate from physician or such



LEAVE WITHOUT PAY (LWOP)

Authority To Grant Leave Without Pay

other practitioner as may be designated). The documentation should include, if applicable, the type of treatment rendered to employee (routine, medical, surgical). The employee should also be advised of the consequences of not providing such evidence. Remember however that not every illness of three days involves a visit to a health care provider (e.g., during flu season a person may be sick for up to 4-5 work days).

When an employee provides acceptable evidence that he or she was unable to report to duty for one of the six reasons noted, you must grant sick leave regardless of the employee's failure to comply with established leave procedures. Accordingly, a charge of AWOL **may not** be sustained solely on the basis of failure to follow leave procedures. Discipline is failure to follow procedures may be appropriate in these cases.

LWOP is a non-pay status, which may be granted upon the employee's request. LWOP is **authorized or approved leave** because it may be granted at the discretion of the supervisor. Even though the reason for requesting LWOP is known to be legitimate (e.g. illness, injury, or personal emergency), the request may also be denied for the reasons such as the employee's services are required, the employee has not followed the procedural requirements for requesting leave, or there is no foreseeable end in sight to the leave.

The following officials are authorized to grant requests for leave without pay:

1. Less than 10 work days -- the supervisor who normally approves an employee's leave.
2. More than 10 working days -- the Directorate Head through the supervisory chain. (If approved, you also need to prepare a SF-52 (Request for Personnel Action) to document the Leave Without Pay. Remember: when the employee returns to duty, prepare a SF-52 for a Return to Duty.)
3. More than 1 year- Employee must submit a request for LWOP by memorandum, through a supervisor, to the Deputy CO.

A Balancing Act

Each request for LWOP should be examined closely to assure that the value to the Government or the serious needs of the employee are sufficient to offset the cost and administrative inconvenience to the Government. Two primary concerns that should be considered are the inconvenience of having the position officially “tied up” while the person is on LWOP and the increased workload placed on other employees of the work unit.

ABSENCE WITHOUT OFFICIAL LEAVE (AWOL)

An absence from duty that is not authorized or approved (including leave that is not approved until required documentation is submitted) is properly recorded as AWOL. AWOL is also charged when an employee has been denied leave and is not present for work. AWOL is not a disciplinary action. It does not necessarily mean that the employee has insufficient reason for requesting leave, only that official leave has not been approved. However, absences without approved leave may become the basis for initiating disciplinary action.

Recording Procedures

When it is necessary to charge an employee AWOL, it is important to work with your timekeeper to ensure that the time is properly recorded on the Time and Attendance Report. If you have denied the person leave, be sure to annotate that on his or her leave request and save that with a copy of the Time and Attendance Report for that period. Give the employee a copy of the disapproved leave request.

Don't Delay

Do not let an employee accumulate AWOL hours. Although circumstances may be such that you do not want to take a formal disciplinary action for 1-2 hours of AWOL, supervisors should be conscious of their responsibility to ensure proper employee attendance. Any time you charge an employee AWOL should trigger at least a warning to the employee, if not a disciplinary action.

MATERNITY LEAVE

Maternity leave is not a separate category leave. It is usually a combination of sick leave, annual leave, and/or leave without pay. To the extent available, sick leave may be used to cover the period of incapacitation, prescribed rest periods and physical examinations.

If working conditions exist that have a harmful effect on the health of a pregnant employee, she may request modification of her work duties or a temporary reassignment. A supervisor may request that the employee support such requests by a recommendation of the attending physician.

Application for Leave for Maternity Reasons

An employee should request leave for maternity reasons as soon as the anticipated period of incapacitation can reasonably be determined. The request is a written memorandum reflecting current leave balances, the number of hours of leave needed in each category, the approximate date of delivery, and the anticipated duration of the total absence from duty. A written statement from the attending physician or clinic, reflecting the expected date of delivery and the periods of confinement before and after the delivery, should accompany the memorandum. A completed SF-71 (Application for Leave) should accompany the memorandum.

Absence for Paternity Reasons

A male employee may request annual leave, sick leave or leave without pay for the purpose of assisting or caring for his newborn child or the mother of the newborn child, while she is incapacitated for maternity reasons. See Family Leave Policies for additional guidance.

FAMILY- FRIENDLY LEAVE POLICIES

Most Federal employees are *entitled* to a total of up to 12 administrative workweeks of **unpaid** leave during any 12-month period for any of the following reasons: (a) the birth of a son or daughter and care of the newborn; (b) the placement of a son or daughter with the employee for adoption or foster care; (c) the care of a spouse, son, daughter, or parent with a serious health condition; and (d) a serious health condition of the employee that makes him or her unable to perform the duties of his or her position.



Upon return from such leave, an employee must be returned to the same position or to an equivalent position with equivalent benefits, pay, status, and other terms and conditions of employment.

Most Federal employees may use up to 104 hours (13 days) of sick leave each leave year to care for a family member or to arrange for or attend the funeral of a family member. Full-time employees may use 40 hours (5 work days) of sick leave for these purposes without regard to their current sick leave balance. An additional 64 hours (8 work days) may be used if the employee maintains a balance of at least 80 hours of sick leave in his or her sick leave account.

Sick Leave for Adoption

Federal employees are entitled to use sick leave for purposes related to the adoption of a child. In addition, employees may substitute sick leave retroactively for all or any portion of annual leave used for adoption-related purposes between September 30, 1991, and September 30, 1994.

Leave for Bone-Marrow or Organ Donation

Federal employees are entitled to use 7 days of paid leave each calendar year (in addition to annual or sick leave) to serve as a bone-marrow or organ donor.

The Voluntary Leave Transfer Program

The Voluntary Leave Transfer program allows Federal employees to donate annual leave to other Federal employees who have medical emergencies and who have exhausted their own leave. An employee who wants to apply to become a leave recipient must complete optional Form 630 and provide medical certification documenting the nature and severity of the medical emergency. Prior to approving an application to become a leave recipient, the potential leave recipient's activity head shall determine that the absence from duty without available paid leave because of the medical emergency is (or is expected to be) at least 80 hours. The hours of absence from duty without available paid leave need not be consecutive, but must have resulted from the same medical emergency for which the employee made application for leave transfer.

How to Become a Leave Donor

In order to become a leave donor, an employee must complete Form 630-A, Request to Donate Leave to Leave Recipient. Once approved, employees may donate any specified amount of annual leave. However, regulations prohibit that a leave donor may donate no more than a total of one-half of the amount of annual leave he/she would be entitled to accrue during the leave year in which the donation was made.

Transferred annual leave may be retroactively substituted for any period of leave without pay or used to liquidate an indebtedness for any period of advanced leave that began on or after the date fixed by the activity head as the beginning of the medical emergency.

CORRECTING LEAVE PROBLEMS

**Is there a difference in correcting a leave problem
versus correcting any other management problem?**

NO!!

Supervisors should follow the step-by-step approach outlined below to correct the leave problem. Some typical leave problems are:

- * Excessive Absenteeism
- * Excessive Sick Leave Usage
- * Frequent Request for Emergency Leave
- * Late Return from Lunch
- * Leaving Work Without Permission
- * Tardiness
- * Unexcused Absence (AWOL)
- * Patterns of leave usage, e.g., frequent Mondays and Fridays

Identify the Problem

What's happening that shouldn't be happening?

For example, you have spoken to the employee regarding his or

her unacceptable attendance; you have outlined the procedures for reporting unexpected/unforeseen absences and the employee is not following those procedures. Therefore, the employee is charged AWOL for those absences. The problem is not the AWOL but the employee's failure to follow appropriate leave procedures. The charging of AWOL is the basis for taking the disciplinary action.

Discussion with the Employee



This step requires tact and diplomacy. Discuss your observations and an analysis of the situation with the employee. This should be done as soon as a problem is apparent. By not addressing the problem, the employee is led to believe that his or her behavior is acceptable. Offer him or her the opportunity to comment. Do not allow other unrelated topics of discussion to enter the session, such as performance, lack of training, other employees, etc., and concentrate on the specific leave problems. Inform the employee what you expect in terms of improvement. Document your conversation and give the employee a copy of documentation.

Supervisors should make sure that the employee is aware of the work schedule and the established tour of duty. The employee is expected to be punctual and in daily attendance, unless on *approved* leave.

Failure to Report For Duty

On a rare occasion there may be an employee who fails to report to duty. If an employee is in regular attendance and is not suspected of leave abuse, failure to report to duty would be considered unusual behavior. The supervisor may make a good faith attempt to ascertain the whereabouts of the employee via a friend, car-pooler, and emergency contacts.

Following the first instance, the employee should be allowed to explain the circumstances surrounding the absence and the reason for not contacting the office. You determine whether the reason is justifiable for his or her behavior and the appropriate leave to charge the employee. Normally, the employee is charged AWOL for unauthorized leave. You have the discretion to change the AWOL charge to an approved leave category-annual leave, sick leave, or LWOP.

The employee should be counseled and warned in writing about the failure to report for duty even if unusual, aggravating, or

mitigating circumstances are present. If this behavior continues, the supervisor may request that they issue a Letter of Leave Restriction or request that disciplinary action be initiated.

When is leave restriction appropriate?

Leave Restriction May Be Part of the Answer

Leave restriction is imposed when a pattern of unscheduled leave usage (usually for claimed medical incapacitation) leads a supervisor to suspect that an employee may be abusing leave. Not only is the employee's attendance unreliable; there is also the suspicion that the sick leave is being taken for inappropriate purposes. Frequent use of emergency or unscheduled leave on Mondays and Fridays, numerous short 1-day "illnesses" with no apparent residual symptoms, and use of sick leave the day before or after scheduled leave are all patterns of leave usage that may warrant leave restriction.

It should be noted that a low or negative leave balance, in and of itself, is **not** sufficient evidence of leave abuse. There may be legitimate reasons, such as a serious illness, for an employee to have a low sick leave balance, and employees are **not** required to carry any minimum annual or sick leave balance. The problem with leave abuse is not that the leave is being used, it's the way it is being used; e.g., for inappropriate purposes or on an unscheduled basis.

What does leave restriction involve?

What's involved?

First of all, it requires the employee to furnish a medical certificate to support any absence for medical reasons, no matter how brief. Second, it provides that the employee is automatically considered AWOL until such medical certificate is furnished and accepted by the supervisor. *This clearly places the burden on the employee to prove that leave is being taken for the stated purpose.* Leave restriction also advises the employee in writing that any non- medical 'emergency' absences must also be justified through documentation or other means, and that the employee is automatically placed on AWOL until this is done to the supervisor's satisfaction. In short, leave restriction gives the supervisor a handle on leave abuse.

Simply issuing a notice of leave restriction cannot correct absenteeism. Consistent enforcement of the provisions of the restriction can. By occasionally ignoring the restriction and allowing the employee to do likewise, the supervisor is assuring that the absenteeism problem will not be corrected.

BE CONSISTENT!

Leave restriction is neither a disciplinary action nor a permanent condition of employment. It is a method of correcting absenteeism or sick leave abuse through AWOL charges, and eventually, through progressive discipline from those AWOL charges. Leave restriction may be grieved or may be the basis of an EEO complaint.

QUESTIONS AND ANSWERS

Annual Leave

Q. May a supervisor cancel previously approved leave?

A. Yes. Just be sure that you tell the employee as soon as possible that leave has been canceled and inform her of the reason. Of course, the cancellation must be based on work requirements and staffing needs. Often, the employee is going to be unhappy about your decision, so it is important to explain why the leave needed to be canceled, what other options you considered and when the employee may plan to take the leave. Because of the potential impact on morale, such cancellations should be avoided if possible.

Q. May leave be disapproved simply because it appears that the employee is taking too much time off?

A. No. Leave may only be denied based on work requirements and staffing needs. However, you may want to take a look at the employee's overall leave record to see if there are any abuses, such as repeated requests for emergency or unplanned leave, that you would like to address.

Q. I believe that employees should maintain a minimum annual and sick leave balance of 40 hours annual leave just in case an emergency arises.. John has requested 30 hours of annual leave and only has a balance of 35 hours. Can I disapprove him leave based on my policy?

A. No. Leave should be approved/disapproved based on workload. Although your advice that employees would be wise to maintain a positive balance is sound, employees have a right to request to use leave that they have earned.

Q. Can annual leave be charged in less than one hour increments?

A. Yes. The minimum period is generally set locally in conjunction with time keeping procedures. Charging annual and sick leave in 30-minute increments is common.

QUESTIONS AND ANSWERS

Q. Must employees personally call to request leave in an emergency situation?

A. In almost every case, the answer is “Yes.” However, if the nature of the emergency is such that the employee is not able to personally call you, you may accept the call from someone else. Even in this situation, though, the employee should call you as soon as circumstances permit.

Q. Is an employee required to call every day to request leave for an extended emergency absence?

A. Yes, unless otherwise instructed. For example, if you approve an emergency absence of 2 days, the employee would not have to call in on the second day. If the emergency lasted a third day, however, the employee would have to call in and get your approval for the additional day off.

Sick Leave

Q. I think that my employee took sick leave so that he could go hunting on the first day of deer season. May I ask an employee to submit medical documentation for sick leave which is less than three days?

A. Only if the employee is under a Letter of Requirement or the supervisor requires the employee to submit medical documentation after a period of absence. Use your good judgment and common sense in deciding when and what kind of documentation you need.

Q. What happens if an employee provides documentation but the supervisor or a medical authority considers it to be unacceptable?

A. You may require the employee to provide additional documentation. If the employee fails to provide the additional documentation, you have no further obligation to consider the medical documentation as a basis for approving the leave (e.g. sick leave, LWOP, etc.).

QUESTIONS AND ANSWERS

Q. What do you do if an employee calls to request sick leave and is later seen in the local shopping mall?

A. A little investigative work might be appropriate in this situation. The best thing to do would be to question the employee. It may turn out that the employee was visiting a doctor or having a prescription filled in the mall. On the other hand, there might very well be an abuse of sick leave.

Q. Is there a policy that an employee only needs to call once to request sick leave in an emergency situation?

A. There is no such policy. Whenever an employee calls to request emergency sick leave, he must specify how long. If the employee has requested and received approval for 2 weeks' sick leave, then another call need not be made unless additional sick leave is required.

Q. Can sick leave be granted for purposes related to adoption?

A. Yes. Under the Family Friendly Leave Act.

Q. If an employee who has been granted sick leave separates from the Federal service under disability retirement, is she required to pay back any advanced sick leave that she may have been granted?

A. No. Federal regulations specifically prohibit agencies from attempting to reclaim an approved

advance sick leave when an employee separates from the agency under medical disability.

Q. How should an employee's absence be marked on the timecard if the employee has no sick leave and brings in acceptable medical documentation?

A. The employee may be granted annual leave if he she has accrued annual leave; otherwise the employee should be granted leave without pay.

Leave Without Pay

Q. What impact does LWOP have on the accrual of annual or sick leave?

A. Full-time employees who are in a non-pay status for an entire pay period do not accrue any annual or sick leave during that pay period. If the non-pay status is for less than a full pay period, they do earn annual and sick leave at their regular accrual rate. When cumulative time in non-pay status reaches 80 hours, annual and sick leave are not credited for the pay period in which the 80-hour limit is met. Up to 6 months in non-pay status in a calendar year is considered creditable service for purposes of counting toward eligibility for the next higher leave accrual rate. (Part-time employees continue to accrue annual and sick leave on the basis of the number of hours they are in a pay status.)

Q. What impact does LWOP have on within-grade increases?

A. Generally speaking, time in non-pay status is creditable service for purposes of receiving a within-grade increase, unless it exceeds an aggregate of

- *For GS employees*
 - 2 workweeks in the waiting period for steps 2,3, and 4;
 - 4 workweeks in the waiting period steps 5,6, and 7; and
 - 6 workweeks in the waiting period for steps 8,9, and 10;

OR

- *For Federal Wage System employees*
 - 1 workweek in the waiting period for step 2;
 - 3 workweeks in the waiting period for step 3;
 - 4 workweeks in the waiting period for steps 4 and 5.

Time in a non-pay status in excess of the allowable amount extends the waiting period by the excess amount. (There are some exceptions to this rule, such as the LWOP allowing an employee to engage in military service or is granted for an on-the-job injury.)

QUESTIONS AND ANSWERS

Q. What impact does LWOP have on health insurance?

*A. The Federal Employee's Health Benefits enrollment continues during any period in a non-pay status; however, **employees must continue to pay their share of the cost.** The regular biweekly health benefits deduction will continue to be made from an employee's salary if the salary earned in the pay period is sufficient to cover the deduction. If an employee's salary for a pay period is insufficient to cover the health benefits deduction, the employee will be responsible for paying the employee's share of the health benefits cost upon return to pay status. That payment is usually made through an additional deduction from one or more subsequent salary checks.*

Q. What impact does LWOP have on life insurance?

A. An employee's Federal Employees' Group Life Insurance enrollment continues while in a non-pay status, without cost to the employee or agency, for up to 365 days

Q. What impact does LWOP have on Civil Service Retirement?

A. Civil Service Retirement coverage continues while in a non-pay status, without cost to the employee or the agency, for up to 6 months in a calendar year.

** Employees receive Civil Service Retirement service credit for up to 6 months in a non-pay status in a calendar year.*

** Employees receive credit for up to 6 months in a non-pay status in a calendar year for purposes of computing the Civil Service Retirement average salary ("high 3").*

Q. What impact does LWOP have on injury compensation?

A. Compensation for disability is paid to employees only if they are injured while in performance of their duties. Employees injured while in a non-pay status are not covered.

QUESTIONS AND ANSWERS

Q. Is LWOP recorded on the Time and Attendance card?

A. Yes, always. LWOP of more than 30 days is documented by an SF-50. In addition, for injury compensation cases, an SF-50 is cut if the person is placed on LWOP for more than 80 hours.

Q. What are some examples of when it would be proper to approve LWOP?

A. For educational purposes, when the course of study is in line with the type of work being performed by the employee or for spousal relocation. You may also want to grant LWOP to a person who has been forced to use up all earned leave who then is faced with an emergency situation. Finally, LWOP is often granted to military spouses who move with their family and intend to seek Federal employment at the new location..

Q. Can an adverse action be taken against an employee in an approved Leave Without Pay status?

A. Yes. If management has put the employee on notice that adverse disciplinary action may be taken if the employee does not become available for regular full-time work, and there is no foreseeable end to the employee's absence.

Absence Without Official Leave

Q. Can AWOL be changed to an approved leave category once the Time and Attendance (T/A) Reports have been submitted?

A. Yes. If you subsequently determine that an employee's absence was excusable and should not have been charged as AWOL, you may amend the T/A report and charge the absence to an approved leave category retroactively.

Q. Is there a requirement to counsel an employee prior to charging AWOL?

A. No, there is no such requirement. However, it's always a good practice, whenever possible, first to warn employees that his

QUESTIONS AND ANSWERS

attendance habits are such that an AWOL charge may be forthcoming, if they don't change.

Q. May AWOL be charged in increments of less than 1 hour?

A. Yes, AWOL should be charged in increments of minutes. Be careful at trying to define the increment too specifically, because the clocks even within a single work area vary.

Q. What impact does AWOL have on within-grade increases?

A. AWOL does not impact an employee's within-grade increase. AWOL status reflects a misconduct situation. Within-grade increases are governed by performance regulations.

Family Medical Leave

Q. How does an employee apply for leave under the Family Medical Leave Act (FMLA)?

A. Employees are required to complete an Application for Leave Form (SF-71) and submit it to their immediate supervisor. Section 5 of the SF-71, (Rev 12/97) addresses the Family Medical Leave Act.

Q. Can a supervisor deny an employee's right to substitute paid time off under FMLA for any or all of the period of leave taken under the 12-week entitlement?

A. No, as long as the leave taken is within a 1-year period. Also, a supervisor may not require an employee to substitute paid time off for any and all of the period of leave taken under FMLA. An employee may elect to substitute annual leave, sick leave, or other paid time off, consistent with applicable laws and regulations.

Q. Must an employee take the 12-week entitlement invoked under FMLA all at once?

A. No, the leave may be taken intermittently or on a reduced leave schedule when medically necessary, e.g. chemotherapy, kidney

QUESTIONS AND ANSWERS

dialysis, etc. However, if the leave is not used for medical reasons, both employee and supervisor must agree on an intermittent or reduced leave schedule.

Q. What is the meaning of a ‘serious health condition’?

A. A ‘Serious health condition’ means an illness, injury, impairment, or physical or mental condition that involves any:

- * Period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or residential medical care facility;*
- * Condition that results in incapacity requiring an absence of more than 3 calendar days and involving continuing treatment by a health care provider; OR*
- * Continuing treatment/supervision of a health care provider for a chronic or long-term condition that if not treated would likely result in incapacity of more than 3 calendar days.*

Q. Must an employee submit medical documentation in order to invoke the FMLA?

A. Yes.

Q. Who is responsible for tracking the amount of leave taken under the FMLA?

A. Each Department is responsible for tracking and recording the amount of time an employee uses leave under the FMLA. NNMC T/A will not help keep track of how much leave an employee uses under FMLA.

Voluntary Leave Transfer Program

Q. Does a “normal” maternity situation count as a medical emergency for the purpose of the leave transfer program?

A. Yes, as long as it meets the condition of medical emergency under the voluntary leave transfer programs.

QUESTIONS AND ANSWERS

Q. How does an employee know the donated leave has been deposited in her payroll account?

A. Donated Leave will be reflected on the employee's Leave and Earning Statement.

CIVILIAN EMPLOYEE ASSISTANCE PROGRAM (CEAP)

Purpose



Federal agencies are required by law to provide referral services for employees with alcohol, drug abuse, or emotional/behavioral problems. Otherwise proper actions may be overturned on appeal if the employee asserts that poor performance or conduct was attributable to drug abuse, alcoholism, or emotional/behavioral problems. The DON must be prepared to show it made concerted efforts to help the employee address the personal problem (or that it had no reason to know or suspect that the work problem was related to a personal problem). The DONs' major resource in these efforts is the Civilian Employee Assistance Program.

In addition to the legal and appeals requirements, *CEAP makes good economic sense*. Effective use of CEAP reduces absences, loss of production, increased health and medical costs, accidents, etc., caused by alcoholism, drug abuse, and other personal problems of employees. Successful participation in the program can minimize disruption caused by a troubled employee, thereby boosting the morale and productivity of the entire work unit.

CEAP deals with problems encountered by an employee or an employee's family members which might have an adverse impact on the employee's work performance or conduct. These problems include, but are not limited to, alcohol, drugs, emotional, financial, legal, and marital problems.

The goal of CEAP is to empower employees to resolve their personal problems, particularly those of alcohol and/or other substance-related disorders that impact employee conduct and work performance, in the quickest, least restrictive and least costly manner possible. The range of problems addressed by the CEAP include any problem that may impact job conduct, performance, and/or attendance. These problems include psychological, emotional, substance abuse, family and other types of personal problems.

CEAP provides high quality assessment, short-term problem solving, counseling, research and follow-up services for DON employees and their families.

How the Program Works

The decision to participate in CEAP and accept suggested counseling, treatment, rehabilitation, etc., is the employee's. Regardless of the choice, it is the employee's responsibility to maintain performance and conduct at the level required by the Department of the Navy.

Supervisors are encouraged to contact CEAP counselors or the Human Resources Office to discuss employee problems that affect performance or conduct, motivation of employees to participate in the program, dealing with problem employees, etc.

Employees or supervisor wishing to speak to a counselor may arrange to do so by telephoning for an appointment.

An employee's participation in the program is strictly *confidential*. An employee's consent is required to release information to the supervisor.

CEAP services are also available to family members of employees.

Leave To Participate in the Program

Employees should be permitted administrative leave to attend the first CEAP counseling session. Should follow-up visits be necessary, the employee should be charged sick leave, annual leave, or leave without pay, as appropriate.

The supervisor retains the right to set the time the leave may be used and to require adequate documentation to justify leave approval.

[Table of Contents](#)

Relationship of CEAP Participation to Personnel Action Based on Misconduct or Poor Performance

Employees are encouraged to participate in the CEAP. Benefits normally accruing to the employee; e.g., promotion, within-grade increase, awards, etc., will not be withheld as a result of the employee's participation in the CEAP. Similarly, no adverse action will be initiated solely as a result of participation.

Action against employees with conduct or performance problems may be held in abeyance or canceled upon demonstration of participation in an approved remediation program and satisfactory improvement. The responsibility for establishing the existence of some mitigating personal problems and participation in a program lies with the employee.

Participation in the program does not automatically shield the employee from conduct or performance-based actions. The primary concern of the DON is the performance and conduct the employee demonstrates on the job. Regardless of participation in the program, the Department of Navy will not continue to “carry” unproductive or disruptive employees.

Participation in the CEAP program does not prohibit formal disciplinary or performance-based action (including removal from employment), when performance or conduct is deficient. However, employees must be provided the opportunity to participate in CEAP counseling and referral services, treatment, and rehabilitation programs, and to demonstrate reasonable progress toward improving their job performance and/or conduct.

Supervisor's Responsibilities

Observation



A key factor in the success of the CEAP is the supervisor's observation and documentation of any change in an employee's work pattern or decline in performance efficiency. The following list of indicators may be helpful to supervisors in observing and documenting impaired job performance. The patterns of job performance difficulties may vary from person to person, whether the problem is alcoholism, drug abuse, emotional, marital, financial, or other

types of problems. Remember that all employees, including yourself, exhibit some of these problems occasionally. But if a pattern develops over a period of several weeks or months, that pattern should be noted, documented, and discussed with the employee

- * Missed deadlines
- * Long lunch hours or late returning to work
- * Work errors due to inattention or poor judgment

***Supervisors should
take note of the
following behaviors:***

- * Excuses for absences or work deficiencies become elaborate, increasingly improbable, and often bizarre.
- * Lapses of attention or inability to concentrate
- * Overreaction to real or imagined criticism
- * Irregular work pace-alternate periods of unusually high and very low work output on the part of a previously steady employee
- * Complaints from fellow workers or complaints from individuals outside the work group
- * Avoidance of associates
- * Undependable statements
- * Confusion from individuals outside the work group
- * Confusion and increasing difficulty handling assignments
- * Exaggeration of accomplishments-increased tendency to try to “look good” to the supervisor
- * Higher than normal accident rate
- * Grandiose, aggressive, or belligerent behavior
- * Absence without leave (AWOL)
- * Unreasonable resentments
- * Absences from work site without good reason
- * Excessive use of sick or unplanned annual leave;
- * Absences on Monday or Fridays, before and after holidays, and the day after payday
- * Repeated unplanned absences
- * Tardiness or early departures
- * Evidence of financial problems-borrows from coworkers
- * Domestic problems seem to interfere with work

Documentation

Documenting performance or conduct problems is necessary. The employee should be counseled to advise her that there is a problem and that you view it seriously. Troubled employees frequently deny that incidents have occurred or that discussions regarding performance or conduct have taken place. Performance or conduct documentation may stimulate employee improvement or awareness of a problem.

Documentation should:

- * focus on the employee's ability to meet the performance and conduct requirements of the job;
 - * reflect job performance (both good and poor), discussions, encounters, or actions taken;
 - * be detailed, complete, dated, and signed;
 - * include the information that leads you to conclude that a performance/conduct problem exists (so others may reach the same conclusion); and
 - * be available to the employee.
-

Counseling & Confrontation

Discuss performance, attendance, or behavior that has not met acceptable standards with the employee as it occurs. Indicate the areas in which the employee needs improvement and necessary corrective action, review the progress the employee has made to date, and provide the employee with a deadline for improvement. Let the employee know that services exist within Department of Navy to help them with problems that may be adversely affecting them (CEAP). Many employees will improve after such a confrontation. Continue to observe and document the employee's conduct/performance.

Follow-up

If there is no improvement - refer the matter to your Labor and Employee Relations advisor at the HRO Washington for appropriate action.

Employee Responsibilities

The employee bears the responsibility for recognizing the adverse effects that personal problems are having on performance and seeking help, if necessary, in solving his problems.

Unless the employee chooses to contact CEAP through the anonymity of a self-referral, the employee should inform the supervisor of scheduled appointments with the CEAP counselor, check with the supervisor to minimize disruption of scheduled work, and obtain the supervisor's permission to leave the work site. The employee may be required to furnish appropriate evidence of participation in a treatment program. The employee should understand participation in the CEAP does not absolve the employee of responsibility for adequate job performance and conduct following standard administrative procedures.

The following paragraph may be included in all letters counseling employees regarding continuing performance or conduct problems (which may be caused or aggravated by personal problems):

Sample

"If you feel your performance (conduct) problems may be the result of some personal problem(s) (e.g. drug or alcohol abuse, emotional, financial, marital, legal problems, etc.), you are encouraged to contact the Civilian Employee Assistance Program (CEAP) for confidential referral to an appropriate counseling or treatment resource. Please call to arrange an appointment to see a counselor."

Q. Can a supervisor/manager order an employee to attend a CEAP session?

A. An employee can be ordered to CEAP, but cannot be forced to participate. Taking disciplinary action against those who fail to report for their CEAP appointments is usually not advisable. The referral and failure to report should however be documented, especially if you believe that you may be required to take subsequent disciplinary or performance-based actions against the employee.

QUESTIONS AND ANSWERS

Q. How should an employee be charged if he leaves the work site to attend a CEAP session, but never arrives at his appointment?

QUESTIONS AND ANSWERS

A. If the employee does not provide the supervisor an adequate explanation, then the employee may be charged AWOL.

Q. Are CEAP sessions covered by the Privacy Act?

A. Yes. Counseling sessions are covered by the Privacy Act; however, there are exceptions.

Q. When the CEAP counselor refers an employee to a long-term facility for rehabilitation, who is responsible for the costs associated with the rehabilitation?

A. The employee is responsible for the costs associated with his long-term rehabilitation. Depending upon the employee's health insurance plan, the employee may be responsible for paying all or part of any long-term rehabilitation.

INJURY COMPENSATION FOR FEDERAL EMPLOYEES

The Federal Employees Compensation Act (FECA) is a law which provides compensation benefits (*monetary reimbursement for time loss for work and for medical treatment*) to civilian employees for disabilities due to personal injury (including occupational disease) sustained while in the performance of duty. Damage to or destruction of medical braces, artificial limbs, and other prosthetic devices associated with a personal injury is also compensable. The FECA also provides for the payment of benefits to dependents if job-related injury or disease causes an employee's death.

The FECA is administered by the Office of Workers' Compensation Programs (OWCP), U.S. Department of Labor, through district offices located throughout the United States.

All injuries, including disease caused by employment, sustained while in the performance of duty by civilian employees of the United States, except for non-appropriated fund employees, are covered. This includes temporary or part-time employees.

The employee must provide medical and factual evidence to establish the essential elements of the claim. Medical documentation should be detailed certifying the diagnosis, dates of incapacitation, and what light duty can be performed or why light duty is not appropriate. Medical documentation may be made on Form CA-16, or on Forms CA-20 or CA-20a, which are attached to compensation claim forms. It may also be made by narrative report on the physician's letterhead stationery, or in the form of an emergency room summary. In all instances, however, the physician's original signature must appear on the report. These reports should be submitted in original form to OWCP. Employees can file claims for either a traumatic injury or occupational disease.

A traumatic injury is a wound or other condition of the body caused by external force, including stress or strain. The injury must be identified by time and place of occurrence and the name of the body part affected. The key in identifying a traumatic injury is that it must have been caused by a specific event or incident or series of events within a single day or work shift. For example, an employee trips over a wire and falls.



What is a Traumatic Injury?

The FECA provides that an employee's regular pay may be continued for up to 45 calendar days of wage loss due to disability and/or medical treatment following a traumatic injury. The intent is to eliminate interruption in the employee's income while the claim is being processed.

What to do when a traumatic injury occurs

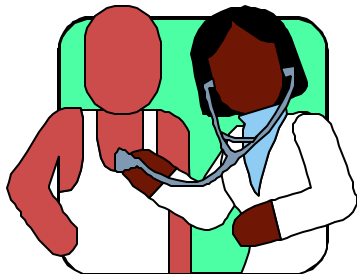
When an employee sustains a traumatic injury in the performance of duty, she should give a written report on Form CA-1 to the supervisor as soon as possible. If the employee is incapacitated, this action may be taken by someone acting on her behalf, including family member, union official, representative, or agency official. The form must contain the original signature of the person giving notice.

The supervisor should:

1. Review the front of the form for completeness and accuracy, and assist the employee in correcting any deficiencies
2. Complete and sign the reverse of Form CA-1, including telephone number in case OWCP personnel have questions about the injury.
3. Inform the employee of the right to elect continuation of pay (COP) or annual or sick leave if time loss will occur.
4. Advise the employee if COP will be controverted, and if so, whether pay will be terminated.
5. Advise the employee of her responsibility to submit medical evidence of disability, within 10 days or risk termination of COP.

If an injured employee's disability continues beyond 45 calendar days and the employee continues to miss work, the employee may file for compensation. Compensation payments for wage loss are based on proportion of the employee's pay.

Compensation payments allow injured employees to receive some pay while they are incapacitated for duty.



Occupational Disease

An occupational disease is a condition produced in the work environment over a period longer than one work day or shift. It may result from systemic infection, repeated stress or strain, exposure to toxins, poisons, or fumes, or other continuing conditions of the work environment.

In cases of occupational disease, the supervisor should issue to the employee two copies of the Occupational Disease Checklist for the disease claimed. The supervisor should also explain the need for detailed information to the employee and advise her to furnish supporting medical and factual information requested on the checklist.

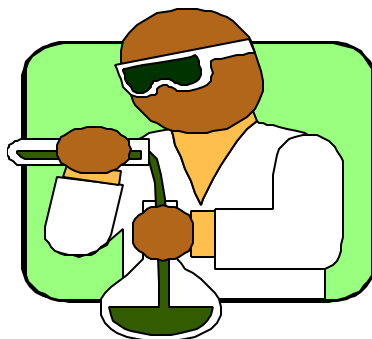
Upon receiving Form CA-2, the supervisor should:

1. Review the front of the form for completeness and accuracy, and assist the employee in correcting any deficiencies found;
2. Complete and sign the reverse side of Form CA-2, including a telephone number in case OWCP personnel have questions about the claim;
3. Review the employee's portion of the form and provide comments on the employee's statement requested;
4. Prepare a supporting statement to include exposure data, test results, copies of reports of previous medical examinations, and/or witness statements, depending on the nature of the case.
5. Advise the employee of the right to elect sick or annual leave or leave without pay, pending adjudication of the claim.

Continuation of pay is not provided for those suffering from occupational illnesses.

Occupational Disease - Checklist

RETURN -TO- WORK PROGRAM



QUESTIONS AND ANSWERS

It is the Department of the Navy's policy to control occupational costs by employing injured workers. Partially disabled employees are required to return to work on light duty, when possible. Although it is the responsibility of the physician to determine an employee's physical limitation and to advise management with regard to the types of duties an employee can perform, supervisors are responsible for determining whether an employee can be offered light duty assignments.

All possible efforts must be made to accommodate injured workers in a position or assignment compatible with medical restrictions. If no light duty is available within the work unit, another suitable assignment may be sought through the chain of command within or outside the activity in the same commuting area.

Q. May an injured employee choose the physician who will provide treatment?

A. Yes, an injured employee is entitled to initial selection of physician or facility for treatment of an injury. The command may examine the employee in its own facility in accordance with the Office of Personnel Management's regulations, but the employee's choice of physician must be honored, and treatment by the employee's physician must not be delayed.

Q. What type of information should the medical documentation include?

A. At a minimum, medical documentation should state (1) diagnosis, (2) date of incapacitation, and (3) what 'light duty' can be performed or why 'light duty' is not appropriate.

Q. What is the definition of "Controvert" as it pertains to Continuation of Pay?

The term "controvert" means to dispute, challenge, or deny the validity of a claim for COP. The term "controvert" is also used to apply to the validity of a claim.

QUESTIONS AND ANSWERS

Q. What should an employee do if he receives an injury at work?

A. An employee injured at work should do the following:

- 1. Report the injury immediately to his supervisor and obtain first aid as necessary.*
- 2. Complete a written report (Form CA-1 or CA-2) and submit it to the supervisor within 30 days of the date of injury or illness or injury;*
- 3. Furnish the supervisor with medical evidence of a disabling traumatic injury within 10 workdays of claiming continuation of pay.*

Q. What happens if the injured employee's disability goes beyond the 45 day period?

A. If it appears the disability will continue beyond 45 days, the employee and the employing activity should complete Form CA-7, "Claim for Compensation on Account of Traumatic Injury or Occupational Disease," and submit it on the 40th day of COP to the Human Resources Office, Washington.

Q. Does the employing activity have the right to interrupt COP if a disciplinary action has been taken against an employee?

A. No.

Q. Is there a time limit for filing notice of injury and claim for compensation?

A. Yes. A claim for compensation must be filed within three years of the date of injury.

Q. Is there a maximum period of time during which an employee can receive compensation payments for wage loss?

A. No. An employee can receive compensation payments for as long as the medical evidence shows that total or partial disability is related to the accepted injury or condition.

QUESTIONS AND ANSWERS

Q. Does the employing activity have the authority to approve or disallow a claim?

A. No. Only OWCP has the authority to adjudicate a claim for compensation. While the employing activity has a role in paying or withholding COP , this action is reviewed in every case by OWCP.

Q. Can an employee receive compensation payments while on sick or annual leave?

A. No. An employee must be in a leave-without-pay status before compensation is paid.

Q. What type of leave should an injured employee be placed on when she misses work on the day of her injury?

A. The employee should be placed on administrative leave for time missed on the first day of the injury.

Q. If an employee receives COP and OWCP disapproves the employee's claim, what happens then?

A. The employee must substitute available sick or annual leave for the time missed. If insufficient paid leave is available, the employee has been overpaid and must arrange to repay any of the overpayment received.

Conclusion

This concludes the topics that most supervisors and managers are confronted with each day. Use the information provided here to understand the general policies and regulations that support each of the areas discussed. However, when a problem arises that you are not sure how to solve or you just seek a willing ear to hear you through your proposed course of action, call your personnel advisor in the Human Resources Office – Washington, Bethesda Satellite Office. We are here to help.

[Table of Contents](#)

APPENDIX A

RECRUITMENT METHODS

PERMANENT STAFFING METHODS

METHOD

ADVANTAGES

Reassignment

Placement of a DON employee in a DON position of similar grade

- ❖ Speed(when non-competitive)
- ❖ May make better use of an employee's abilities
- ❖ May help in developing an employee's capabilities

Reinstatement

Non-competitive reemployment in the competitive service based on previous service under a career or career-conditional appointment.

- ❖ Speed(when non-competitive)

Appointment from OPM-Authorized Register

- ❖ Speed (moderate to fast)
- ❖ Taps a broad recruiting area
- ❖ Probationary period applies in most cases

Transfer

Movement from one agency to another at the same grade, without a break in service of one full workday.

- ❖ Speed(when non-competitive)
- ❖ Taps a recruitment area with related skills.

Promotion

A change to a higher grade when both the old and new positions are under the same classification system and pay schedule, or to a position with higher rate of basic pay in a different job classification system and pay schedule.

- ❖ Good performance can be awarded
- ❖ Incentive for development
- ❖ Supports EEO (if eligible employees are included in targeted groups).

Special Appointment Authorities for Veterans and Handicapped

- ❖ Speed
- ❖ Gainfully employs individuals who have often faced placement problems.

Non-competitive Appointment

Appointment of former overseas employee (E.O. 12362), former Peace Corps or Vista volunteers, etc.

- ❖ Speed
- ❖ Simple procedure
- ❖ Good source of people with skills

[Table of Contents](#)

TEMPORARY STAFFING METHODS

METHOD

ADVANTAGES

Detail

Temporary assignment for set period of time to duties of another position or to unclassified duties, with the employee returning to his/her duties at the end of the detail.

- ❖ Speed(when non-competitive)
- ❖ Good for a temporary need
- ❖ May help in developing an employee's capabilities

Intern, Presidential Management Interns, Student Educational Employment Programs

- ❖ Interests students in Federal employment
- ❖ Provides income to help students stay in school
- ❖ Supports EEO objectives
- ❖ Helps build quality workforce for the future.
- ❖ Helps students into emerging occupations

Temporary Promotion (120 days or less)

- ❖ Speed

Experts & Consultants

- ❖ Additional source of hard-to-find expertise.
- ❖ Meets short term need.
- ❖ Can support EEO.
- ❖ Employees not entitled to the full benefits package.

Temporary Appointment

- ❖ Speed
- ❖ Good for the short term
- ❖ Employees not entitled to the full benefits package.
- ❖ Can be terminated easily.

Volunteers

- ❖ No charge to the Activity payroll budget
- ❖ May help military spouses to update skills.
- ❖ May use experience of senior citizens

[Table of Contents](#)

APPENDIX B

CONDUCTING A JOB ANALYSIS

Job analysis involves the determination of the major duties of a position and the Knowledge, Skills, and Abilities (KSA's) necessary to accomplish them. The job analysis may be conducted by the supervisor or another designated management official as long as the selecting official certifies the currency of the KSA's prior to the beginning of the recruitment process.

Once the position description has been written, a list of the major duties may be compiled. From this list, KSA's are developed that are essential for successful performance of the position. KSA's must refer *directly* to a duty statement in the position description.

Guidelines for identifying and phrasing KSA's are:

1. Knowledge statements should refer to an organized body of information, which, if applied, constitutes adequate performance on the job possible, e.g., knowledge of health care delivery systems.
2. Ability statements should refer to the capability to perform an activity, e.g., ability to collect, gather and display quantitative data.
3. Skill statements should refer to the proficient manual, verbal, or mental operation or control of data, people or things, e.g., skill in typing or stenography.
4. A KSA should identify one simple, readily identifiable characteristic.
5. KSA statements should begin with "Knowledge of.....", "Skill in (or at)....." or "Ability to....."
6. Qualifiers (e.g., "thorough" or "basic" knowledge, "considerable" skill, "demonstrated" ability) and terms which indicate a level of performance (e.g. efficient, sound, or good) should *not* be used. Such fine distinctions cannot easily be determined from the candidate's written application. Remember that a good crediting plan does provide ways of distinguishing between those with experience or education at varying levels. E.g., a person who has extensive speaking experience in front of a wide range of audiences is considered more proficient than someone who has simply taken a public speaking course.
7. Each KSA should be reviewed to ensure a candidate could actually be rated on the basis of information found in his/her written application.
8. Each KSA should also be reviewed to determine if it will distinguish a superior from a minimally acceptable candidate.

[Table of Contents](#)

APPENDIX C

CREDITING PLAN DEVELOPMENT GUIDE FOR MANAGERS AND SUPERVISORS

A crediting plan is an objective measurement tool designed to evaluate candidates against a set of job-related criteria for a position or type of positions. These job-related criteria are known as Knowledge, Skills, and Abilities (KSA's), and are considered as *essential* to acceptable performance in the position. Crediting plans will distinguish the "best qualified" applicants from the "qualified" based on information submitted by the applicant (e.g., experience, training, education, awards, and performance appraisals). The job-related crediting plan provides a *valid and documented* method of employee selection. Properly used, it will serve as a source of evidence and justification to any challenge to the employee selection decision -- inquiries, grievances, EEO complaints, and court actions.

Developing effective crediting plans requires close consultation and teamwork between managers/supervisors and personnel advisors. Managers/supervisors or subject matter experts must provide the in-depth technical knowledge of the position to be filled (what is needed to do the work of the positions successfully); personnel advisors provide the technical expertise on job analysis and candidate evaluation process. Both share the common goal of mission accomplishment through selection of capable, productive employees.

The method for developing a crediting plan consists of eight steps:

STEP 1: Identify the major duties of the position.

- Review all information - position description, classification evaluation statements, qualification standards, and performance standards.

STEP 2: Identify four to five general duty statements from the major Duties of the position description.

- These general duty statements must include the major duties or aggregation of tasks of the position.

STEP 3: Identify the knowledge, skills, and abilities essential to perform the duties of the position.

- Statements should start with Knowledge of, Ability to, or Skill in.

GOOD EXAMPLE: Ability to communicate orally and in writing.

POOR EXAMPLE: Post-graduate degree in business. (This is not a knowledge, skill or ability)

STEP 4: Determine if the KSA is essential in performance of duties.

- Review each KSA to determine if the incumbent *must* possess the KSA in order to perform acceptably in the position within a reasonable period of time (1 to 3 months).

GOOD EXAMPLE: Knowledge of naval correspondence.

POOR EXAMPLE: Knowledge of the organization. (This could be learned in a reasonable period of time on the job.)

STEP 5: Determine if the KSA is rateable (i.e., can it be measured in some reasonable way?).

- The KSA is rateable if possession of the KSA can be observed from the applicant's work, training, and education experience as reported *in their application* and can be verified from supervisor's appraisal of applicant's performance.

GOOD EXAMPLE: Ability to establish priorities.

POOR EXAMPLE: Ability to use common sense. (This could not be rated from the information furnished *in an application*.)

STEP 6: Determine if the KSA distinguishes among applicants.

- A KSA distinguishes among applicants if it provides a range of differences between barely acceptable applicants and superior candidates.

GOOD EXAMPLE: Ability to apply correspondence rules.

POOR EXAMPLE: Ability to type. (Differences in performance levels would not be related to job performance since the speed at which an employee can type *beyond the minimum acceptable level* is not relevant. This may seem odd because there *are* obviously different degrees of typing speed and accuracy, but the U.S. Office of Personnel has determined that 40 words per minute is the required minimum acceptable level for typists.)

STEP 7: Develop levels for the KSA.

- Define examples which illustrate possession or demonstration of each KSA. These examples should be stated in terms of tasks, training, education, experience, self-development, and/or awards which, if performed or possessed by an applicant, would demonstrate the KSA at each level. There is no requirement to define all four levels. Although the definition of all four levels is encouraged, four and two

point levels must be defined – the three and one levels would then be determined as less than what is described at the four and two levels, If you intend to recruit outside the federal services (e.g., All sources), it *is necessary* to define all four levels.

GOOD EXAMPLE:

Level 4: Has written instructions, directives, procedures, recommendations for a variety of audiences which have been published and/or issued either internally or externally. Conducts technical briefings of top management as the basis for decisions on controversial or unique issues. Represents the command's interests with headquarters, and other oversight organizations.

Level 3: Prepares instructions, directives, procedures, for higher level review. Writes letters providing information regarding non-technical matters. Conducts technical briefings of mid-level managers as the basis for decisions on controversial or unique issues. Represents the command at conferences, meetings and work groups.

Level 2: Writes memos, letters, internal operating procedures. Conducts technical briefings of supervisors and mid-level managers as the basis for decisions on standard or routine issues. Represents functional area at command meetings.

Level 1: Drafts letters, memorandums regarding internal procedures. Represents functional area at panels and working groups.

POOR EXAMPLE: Effectively writes reports regarding Navy budget proposals with little or no supervision. (How would you define the different levels and would the information submitted with the application provide the necessary detail to draw the desired distinctions?)

STEP 8: Evaluate the job applicants.

- Using the descriptions developed for each KSA, raters will independently evaluate each applicant against each KSA example statement, matching as closely as possible applicant information (application, supervisor's appraisal, supplemental questionnaire).
- The raters will add the points assigned to each KSA to obtain a total score for each applicant. Any major discrepancy among raters (2 or more points for a particular applicant on any single KSA) must be resolved .

- The best qualified candidates will then be referred to the selecting official.

[Table of Contents](#)

Appendix D

GUIDELINES FOR DEVELOPING PERFORMANCE ELEMENTS AND STANDARDS

1. How to develop performance standards and elements.

- a. Analyze the position or job description
- b. Identify the major duties and associated critical elements of the position
- c. Review mission statement, values and strategic plan
- d. Write a draft performance standard for each critical element describing what will be appraised and what your expectations are for performance.
- e. Ask the employee to review the draft performance plan and then discuss the draft plan with him or her. Encourage the employee to make any suggestions for improving the draft plan.
- f. Review again what is expected and why it is important.
- g. Sign the plan. The reviewer and rater should sign and date the plan before the employee signs it to eliminate the need to change the plan after the employee has received it. Only those who report directly to the Commander or Commanding Officer would have a single signature under for the Rate/Reviewer column.

2. Performance standards should be objective.

There is no consistent manner of determining whether standards are sufficiently objective. A standard found "Acceptable" today might not pass muster at a later time. Agencies are obligated to follow Office of Personnel Management's (OPM) directive that they must keep reviewing existing standards and must change them as evaluation techniques improve and experience with this effort is gained.

- a. Performance standards should state the expectations or requirements established by management for the "Acceptable " level of performance for each critical element.
- b. Performance standards may be measured, but are not limited to, factors such as quality, quantity, cost efficiency, timeliness, and manner of performance.
- c. Performance standards should be written so that the employee is expected to perform his or her critical elements at an independent level.

For example: A critical element for a secretary may include:

Critical Element: Correspondence

Acceptable: No more than 4 assignments are submitted after the due date during the appraisal cycle or assignments submitted for signature contain no more than 3 substantive errors in spelling and grammatical accuracy or gathering and commuting information in accordance with the Naval Correspondence Manual.

Why is this a good standard?

The standard for "Correspondence" above meets all the requirements established by law, rule, and regulation. The standard puts the employee on clear notice that he is "Acceptable" when he submits no more than 4 assignments late or when he make no more than 3 major errors in preparing correspondence. Once the employee starts submitting assignments past their due dates on 5, 6, or 7 instances, he is "Unacceptable." The employee is also "Unacceptable" when he makes 4, 5, 6, or 7 major errors when preparing correspondence.

How does the employee know when assignments are due and the procedures to follow in preparing correspondence? The answer is in the standard: "Naval Correspondence Manual" which the employee has access to at his desk.

3. Language to avoid in developing performance standards

a. Backward Standards:

A backward standard is a standard written in the negative fashion at the "Acceptable" level. A backward standard is written so that it communicates to the employee what he or she must do in order to fail or to become "Unacceptable."

Examples of Backward standards include:

Example 1.

Critical Element: Execution of Duties:

"Acceptable: Fails to communicate with supervisor regarding sensitive or unusual problems arising with cases.

Explanation: As written, this standard means that the employee is "Acceptable" when he or she does not communicate with the supervisor about unusual cases. All the employee has to do in order to succeed in his or her position is not to talk with the supervisor on sensitive cases.

How do we make this standard right?

By placing a ceiling on the standard. *On no more than 7 occasions during the appraisal cycle does the employee fail to communicate with the supervisor regarding sensitive or unusual problems arising with cases.*

Example 2.

Acceptable: Fails to complete filing assignments in a timely manner.

Explanation: As written this standard means that in order to be “acceptable,” the employee must be late in filing correspondence. Improper or inaccurate filing would not be covered. Quality and quantity are not mentioned in the standard.

How do we make this standard right?

Same as before, we place a ceiling on the standard. *Fails to complete filing assignments in a timely manner on no more than 7 occasions during the appraisal cycle.*

Example 3.

Acceptable: Makes more than 6 errors in the appraisal cycle in timeliness, and/or more than 6 substantive errors in communicating, gathering and transmitting information.

Explanation: As written, this standard does not differentiate between the “Acceptable” level of performance and the “Unacceptable.” The employee can be late in submitting assignments 6, 8,...,99, 100 times and still be “Acceptable.” Furthermore, the employee can make 6, 8, 10, 11,...,20, and 100 or more errors in quality of work and still be “Acceptable.” The employee would be “Acceptable” under this standard in terms of timeliness and quality because the standard does not place a limit or cap on the number of errors the employee can make in order to be considered “acceptable.” As such, the standard does not differentiate between the “Acceptable” and “Unacceptable” performance levels.

How do we make this standard right?

Limit the number of errors the employee can make. *Makes no more than 7 errors in the appraisal cycle in timeliness, and /or no more than 6 substantive errors in communicating, gathering and transmitting information.*

b. Language which makes the supervisor responsible for the employee's performance rating

Performance standards should be written at the independent level so an employee knows what is expected of **him or her** in order to succeed while performing their duties and responsibilities. While supervisory assistance is needed in every job, this assistance is implied and should **not** be written in an employee's performance standard. As such, performance standard should state what the employee will do in order for performance to be considered "acceptable." Words, such as with "minimal supervisory assistance," "requires frequent reminders from the supervisor" should **not** be used in employee's standards. The consequences of writing the supervisor's role in an employee's performance standard is that you, as supervisor, may have to testify at a third party hearing what you did or did not do in order to meet your obligation under that standard to help the employee.

Examples of language which define the supervisor's role in the employee's performance standards include:

Example 1.

Acceptable: With maximum supervisory assistance, makes no more than 5 errors in timeliness and/or 3 substantive errors in analyzing, gathering, and communicating information.

How do we make this standard right?

Makes no more than 5 errors in timeliness and/or 3 substantive errors in analyzing, gathering, and communication information.

Example 2

Acceptable: With no more than 4 supervisory reminders, employee will make no more than 5 errors in timeliness, and /or 3 substantive errors in analyzing, gathering and communication of information.

How do we make this standard right?

Makes no more than 5 errors in timeliness and/or 3 substantive errors in analyzing, gathering and communication of information.

c. Absolute and Unreasonable Standards

Absolute standards are standards written at the "Acceptable" level which do not allow an employee to **make any mistakes**. Under an absolute standard, when an employee makes one mistake, he or she would be "Unacceptable." In performance based actions, the Merit Systems

Protection Board (MSPB) reviews an agency's standards in order to determine if the agency abused its authority by setting unrealistic standards.

Absolute standards are appropriate **only** for those specific duties which involve death, injury, breach of security, or great monetary loss as a result of an employee making a single mistake while in the performance of that duty. Absolute standards would be appropriate for surgeons while operating on patients, and some medical technologists who deal with decisions that affect life and death situations.

Absolute standards are **not** appropriate for secretaries, trainee positions, or program analysts, as a single failure in performing their duties would not result in death, injury, breach of security, or great monetary loss. Unreasonable standards allow for possible errors but are so strict or restrictive that they are almost impossible for anyone to achieve.

Examples of Absolute and Unreasonable Standards that are not appropriate.

Example 1: Medical Technician:

Acceptable: Performs patient tests within established time frames 100% of the time during the year.

Why is this standard inappropriate?

Time limits on some of the tests were instituted for administrative convenience, not because death or injury could result from untimely processing. Although agency personnel testified that the untimely processing of some tests could harm patients, the agency did not establish this danger with respect to **all types** of STAT tests. Therefore, the agency abused its discretion in establishing an absolute performance standard that applied to all tests.

Example 2: Nurse Assistant

Acceptable: There will be no substantiated instances on employee's part of rudeness, curtness, use of abusive language, behavior or manner to any visitor, staff member, or telephone caller. One substantiated case will constitute an unsatisfactory in this element.

Why is this standard inappropriate?

This standard is inappropriate because this is not a situation where an employee's failure to meet the performance standard once would result in death, injury, breach of security, or great monetary loss. As the standard is written the agency could remove the employee for one (1) violation of the performance standard; however insignificant that violation might be.

Example 3: Pharmacist

Acceptable: Upon receipt of a medication order (inpatient) or prescription (outpatient), always reviews and interprets physician's order to ensure the appropriate dosage and directions for administration have been specified to provide therapeutic efficacy without toxicity due to overdose or drug interaction. Always contacts physician when there is an incompatibility or improper dose, dosage, form, route of administration or any other irregularity in physician order. Reviews patient's profile to ensure rational drug usage. Shows no hesitancy in contacting physicians.

Why is this not appropriate?

The standard indicates that a single incident of failure to review and interpret a physician's order as provided, or to contact a physician for clarification of an irregularity in an order, would result in an unsatisfactory rating for that job element. Therefore, the standard is absolute.

The supervisor might argue that in all cases failure of the pharmacist to properly review and interpret physician's orders or to contact a physician concerning irregularity in a physician's order might well result in some type of injury or adverse reaction to the patient. The supervisor needs to prove more, namely, that the pharmacist's failure to always contact physicians concerning irregularity in their orders could cause injury or death. In addition the pharmacist could argue (and in fact did) that a mere irregularity in a physician's prescribed medication dosage, while unusual, may be "well within clinical parameters." Therefore the standard is an abuse of agency discretion because one single error as stated in the standard would not cause death or injury.

Example 4: Secretary

Acceptable: Makes no more than three errors per year in taking telephone messages.

Why is this standard not appropriate?

The office in which the secretary works is an extremely busy office with as many as 75 calls coming in each day. A mere misspelling of a name or transposing of a digit in a phone number would count toward the three allowable errors. The likelihood of a person under these working conditions making errors of this sort are highly probably, so this would be considered an unreasonable standard.

d. Beware of Percentages

While percentages are a legitimate means in objectively assessing an employee's performance, problems may occur with the method the supervisor elects to derive the percentage. In cases where percentages are used to measure performance, the supervisor must collect documentation in a consistent manner. How documentation is collected is strictly up to the supervisor. The supervisor may elect to review an employee's work every 2 weeks, or review every third report the employee submits. The key here is that the supervisor adheres to a **prescribed** or agreed upon manner of data collection so that he or she cannot be accused of setting the employee up for failure by selectively collecting reports that are "Unacceptable." The supervisor is responsible for collecting a fair representation of the employee's work in order to make a determination concerning how the employee should be rated, not just those that support "unacceptable" performance. Percentages clearly place the burden on you, the supervisor, to collect too much data from which you extrapolate your percentage. As a result, a percentage standard is one to avoid if at all possible.

3. Supplementing Critical Elements

Most employees perform their duties and responsibilities so that they meet and even exceed their supervisors' expectations as stated in their critical elements. In these instances, standards and elements are often written in a general or generic term. While these standards and elements were written at the time with the expectation that the employee was going to succeed, these same standards are not adequate to sustain an action associated with an "unacceptable" level of performance, e.g., change-to-lower grade, removal, or denial of within-grade increase.

Examples include:

Example 1: Critical Element: Analysis

Acceptable: Analyzes data communication equipment to ensure maximum capabilities is achieved. Written analysis is provided to supervisor and/or program office at least two times annually no later than 30 October and 30 May.

Example 2: Critical Element: Communication

Acceptable: Communicates orally and in writing with end-users, and project office regarding problems in system maintenance, corrections, and generation of additional capabilities within 3 days of the identification of problems and/or customer inquiries.

What does the supervisor do in these cases?

The first-line supervisor has the responsibility of supplementing the standards and elements and communicating the changes to the employee when the employee's performance is not meeting expectations or when the work has changed. Supervisors may supplement changes to standards and elements in a formal change to the standards, a memorandum for the record, possibly as a letter of caution, or as written follow-up to counseling sessions.

If the changes made to the standards are substantial, the supervisor needs to give the employee an additional ninety calendar days to work under the new criteria before you determine whether or not the employee's performance is acceptable/unacceptable.

What changes do you make to the elements and standards when employees are failing to meet expectations?

You make the standards more objective by measuring performance in terms of quality, quantity, timeliness, cost of efficiency and manner of performance.

In the example above, the critical element could be supplemented as follows:

Example 1: Critical Element: Analysis

Acceptable: Analyzes data communication equipment to ensure maximum capabilities is achieved. Written analysis is provided to supervisor and/or program office at least two times annually no later than 30 October and 30 May. Analysis contains, but is not limited to: inventory of equipment and software, comparison of requirements identified by users, validity of user requirements, and initial acquisition for additional equipment, and plan of projected replacement date for the approved equipment. Data provided are accurate and timely with no more than 2 substantive errors in the written analysis regarding the gathering and transmitting of information which adversely impacts on the mission.

Example 2: Critical Element: Communication

Acceptable: Communicates orally and in writing with end-users, and project office regarding problems in system maintenance, corrections, and generation of additional capabilities within 3 days of the identification of problems and/or customer inquiries. No

more than 3 substantive errors in the appraisal cycle in gathering and transmitting information which effects the completion of system maintenance and adversely impacts of the mission of the unit.

[Table of Contents](#)

Appendix E

[Table of Contents](#)

What Type of Recognition Should I Give?

Navy Medicine managers and supervisors know that they have the authority to grant a wide range of awards and other types of recognition for personnel who make noteworthy contributions. What they are not sure about is what type of award and recognition is most appropriate and what has to be done to get them approved. This guide presents some practical advice on the types of recognition that might be granted for some common work situations.

The approach taken will be to provide a number of examples and to suggest what a manager **might** do. The intent is to help managers and supervisors appreciate what is available to them and to suggest what type and level of recognition seems appropriate. There are very few **absolute rules or prohibitions** in granting recognition, so how a manager or supervisor chooses to grant recognition depends on the organizational culture, the contribution, and the circumstances surrounding the contribution. Also included are some considerations that may help in selecting among alternative scales for determining tangible and intangible benefits and time-off awards.

Situation 1: Our clinic has three clerks who cover the front desk during normal hours 0730 to 1630. One of the clerks was on planned annual leave for two weeks because he was getting married. The second clerk requested and was granted a week of emergency annual leave to attend the funeral of his grandfather in Wyoming. The remaining clerk covered the front desk with only minimal help for five extremely busy days. Because of some backlog on records, you also asked the clerk to work two hours of overtime each day that week, which she did willingly.

This is certainly a case where recognition is appropriate, because it was beyond what is expected of the employee. We must keep in mind that she was paid for her overtime, but her willingness to work the overtime even after stressful days is worthy of additional recognition. Two types of award might be considered, either **one** of which would be appropriate. The first is an on-the-spot award of \$200-300

because of the brief duration (one week) and the limited impact (the clinic). The second alternative is a time-off award of 4 to 8 hours. Documentation: Brief justification explaining the circumstances, the contribution and its value and a Standard Form (SF) 52 requesting the action.

Situation 2: A nurse is scheduled for a day off, but you need his services immediately because the nurse who was scheduled to work got into a car accident. You ask him to come in and work the shift, which he does.

Certainly, the nurse deserves a “thank you” for being inconvenienced. But since this is an isolated, one-time event **and he was paid overtime**, no additional recognition is appropriate. If this has occurred several times, then a small on-the-spot or time-off award might be appropriate.

Situation 3: An industrial hygienist has been at the GS-11 level for six

years and has expressed concern about whether she has any opportunity for promotion. Right now you know there is none, but you value the person's work, her upbeat attitude and the fact that she has just completed her MPH degree.

Formal recognition, probably none. But since the main concern is career advancement, recommending her participation in a BUMED or regional work group or participation on a special study group might provide exposure and experience that might help in competing for promotions in the future. If participation on the work group involves some special training, then that also may be provided.

Situation 4: Your MTF has just undergone and successfully completed an accreditation review. Your MTF was commented by the accreditation team for its excellent preparation, responsiveness and was awarded a near perfect score. One senior manager was the primary focal point for the preparation, on-site coordination and follow-up on actions. She worked countless hours in the evening and on weekends to make sure that the accreditation visit was a success.

A Special Act award would be appropriate. Since the value of the benefits affects not only the MTF but also the military members, retirees and their families in the catchment area served by the MTF, the benefits are extended and substantial and the award should be between \$751 to \$1,000. Documentation: Brief justification explaining the

circumstances, the contribution and its value and a Standard Form (SF) 52 requesting the action.

Situation 5: Same as Situation 4, but the individual involved has been called upon for the last several years to lead projects that were critical to the overall success of the MTF.

Under these circumstances the Department of the Navy Meritorious Civilian Service Award may be appropriate. This is the third highest honorary award in DON and is given for significant contributions and far reaching impact. The head of the MTF approves the award.

Documentation: Generally a letter or citation which is less than one page long. By being kept to no more than a page, it is easy to frame and mount with the certificate and medal.

Situation 6: A physician has been filling two positions during a six-month period. Because of her dedication the MTF has saved \$63,500 in salary and benefits with the vacancy.

A Special Act Award is appropriate. Because there are tangible benefits the award is calculated at 10% of the first \$10K (which is \$1,000) and 3% of the remaining \$53.5K (\$1,605). The total for tangible benefits is then \$2,605. There may well be some additional intangible benefits in terms of patient satisfaction, etc. that may also be appropriate. Documentation: Brief justification explaining the circumstances, the contribution and its value, calculation for the amount of benefits and a Standard Form (SF) 52 requesting the action.

Situation 7: A Process Quality Team has just completed and implemented its process improvement effort after five months of work. The savings projected to result from their efforts are approximately \$8,000 annually.

Since the team was established by the MTF to study and improve the process, the members of the team generally would not receive a cash award. A plaque or small permanent memento might be appropriate.

Situation 8: Your dental clinic is moving into newly renovated space on the other side of the base. The cost of the move is estimated to be \$21,000. A team of four voluntarily agree to work together to coordinate the move, clean and re-file the patient records and make sure that everything is ready for the first patient on Monday. Their efforts save the government \$9,600.

They should receive a Special Act Award which may be divided equally among team members or proportionally to their contribution. The total saving would be used in calculating the tangible benefits. There also is a value to patients in knowing that the clinic was opened for business as promised on Monday, so you would use the intangible benefits scale to determine that value. A reasonable total amount for the group award would be approximately \$1,500.

Situation 9: Dr. Stokes, your flight surgeon, represented the Navy on a special Defense study group. You find out Dr. Stokes was not only a

member of the ten person team, but he personally drafted the final report and made the final presentation to the Assistant Secretary who chartered the group. The recommendations of the panel will be discussed at the AMA convention.

The impact of Dr. Stokes' work is significant and deserves recognition at least at the BUMED level.

Recommendation for the Department of the Navy Superior Civilian Service Award would be appropriate. The Chief of BUMED must approve the award.

Documentation: Generally a letter recommending the award to Chief BUMED and a citation which is less than one page long. By being kept to no more than a page, it is easy to frame and mount with the certificate and medal. It would also be appropriate to encourage and **fund** Dr. Stokes' attendance at the AMA convention where his project will be discussed.

[Table of Contents](#)

Rules of Thumb for Selecting Appropriate Form of Recognition

Here are several, very simple rules of thumb which may help in deciding among alternatives:

- *Time off versus small cash award* – Tough trade off. If your activity is short of resources, give time off. If the workload is high, give cash. If you can afford either, check with the employee receiving the award, he or she may have a preference. Extra time off is a big thing in many families.
- *Plaques versus small cash award* -- Plaques have a lasting value far more than a couple of hundred dollars award. But make sure that the plaques are given out ceremoniously.
- *On-the-Spot versus Special Act Awards* – On-the-Spot awards are special act awards which are designed to provide employees with immediate reinforcement for a job well done. If the award amount is \$750 or less use On-the-spot Awards.
- *Quality Salary Increases (QSIs) versus Special Act Awards* – QSIs increase the base pay of the employee and therefore are paid throughout that employee's career. Cash awards over \$1,000 get employee's attention. Use larger cash awards to recognize significant contributions and generally stay away from using QSIs.
- *Awards at Retirement*-- Avoid them if at all possible. Reward employees for what they do, when they do it. Thanking someone for a great career is nice, but it is a little too late to serve as a motivator.
- *Civilian Length of Service Certificates* – A very, very sensitive issue. Personnel who complete 25 or more years of federal service deserve public recognition for their accomplishment. However, many people **DO NOT** want others to know their age. Ask the employee receiving the award if he or she would like the certificate presented privately or publicly.
- *The Thank You* – The simple "Thank You" is the most valuable form of recognition that you have available. People appreciate being thanked when they have done something. A "Thank You" or sending a brief note to show you are pleased often means as much or more to them than an award months later.

[Table of Contents](#)

SCALE OF AWARD AMOUNTS BASED ON INTANGIBLE BENEFITS

Beneficial Value	EXTENT OF APPLICATION			
	<i>LIMITED</i>	<i>EXTENDED</i>	<i>BROAD</i>	<i>GENERAL</i>
	Affects functions, mission, or personnel of one facility, installation, regional area, or an organizational element of headquarters. Affects small area of science or technology.	Affects functions, mission, or personnel of an entire regional area, command, or bureau. Affects an important area of science or technology.	Affects functions, mission, or personnel of several regional areas or commands, or an entire department or agency. Affects an extensive area of science or technology.	Affects functions, mission, or personnel of more than one department or agency, or is in the public interest throughout the Nation and beyond.
<i>MODERATE</i> Change or modification of an operating principle or procedure with limited use or impact.	\$25 - \$500	\$501 - \$750	\$751 - \$1,000	\$1,001 - \$1500
<i>SUBSTANTIAL</i> Substantial change or modification of procedures. Important improvements to the value of a product, activity, program, or service to the public.	\$501 - \$750	\$751 - \$1,000	\$1,001 - 1,500	\$1,501 - \$3,150
<i>HIGH</i> Complete revision of a basic principle or procedure; a highly significant improvement to the value of a product or service.	\$751 - \$1,000	\$1,001 - \$1,500	\$1,501 - \$3,150	\$3,151 - \$6,300
<i>EXCEPTIONAL</i> Initiation of a new principle or major procedure; a superior improvement to the quality of a critical product, activity, program, or service to the public.	\$1,001 - \$1,500	\$1,501 - \$3,150	\$3,151 - \$6,300	\$6,301 - \$10,000

SCALE OF AWARD AMOUNTS BASED ON TANGIBLE BENEFITS

<u>BENEFITS</u>	<u>AWARD</u>
<u>Estimated First-Year Benefits</u>	<u>Amount of Award to Employee</u>
Up to \$10,000 in benefits	10% of benefits
Between \$10,000 and \$100,000 in benefits	\$1,000 plus 3% to 10% of benefits over \$10,000
More than \$100,000 in benefits	\$3,700 to \$10,000 for the first \$100,000 in benefits, plus 0.5% to 1.0% of benefits above \$100,000 up to \$25,000, with the approval of the
Office of Personnel Management via the Office of	the Secretary of Defense. Presidential approval is required for all awards of more than \$25,000.

[Table of Contents](#)

TIME-OFF AWARDS SCALE

Value to Organization

Number of Hours

Moderate:

1 to 10

(1) A contribution to a product, activity, program, or service to the public, which is of sufficient value to merit formal recognition.

(2) Beneficial change or modification of operating principles or procedures.

Substantial:

11 to 20

(1) An important contribution to the value of a product, activity, program, or service to the public.

(2) Significant change or modification of operating principles or procedures.

High:

21 to 30

(1) A highly significant contribution to the value of a product, activity, program, or service to the public.

(2) Complete revision of operating principles or procedures, with considerable impact.

Exceptional:

31 to 40

(1) A superior contribution to the quality of a critical product, activity, program, or service to the public.

(2) Initiation of a new principle or major procedure, with significant impact.

[Table of Contents](#)

- ACKNOWLEDGEMENTS -

Many individuals, both inside and outside of the Human Resources Office-Washington provided valuable opinions and ideas on the formulation and direction we should take in the preparation of this Civilian Personnel Manual. To them **I express** my sincere appreciation. Special recognition is also warranted to the following individuals:

CAPT Frank Maguire, Deputy Commander, National Naval Medical Center, the visionary who thought a twenty page “User Friendly” manual would greatly benefit the supervisors and managers of the Command. Sorry, Captain, but we were unable to come in at twenty pages.

Dr. Vincent Vaccaro, Director, Human Resources Office-Washington whose coaching, cheering, and encouragement never faltered during the many weeks and months devoted to the preparation of this manual.

CAPT David Wynkoop, Commanding Officer, Naval School of Health Sciences, Bethesda, MD., who loaned us some of his expert staff for consultation and advice. This manual proved how military and civilian staffs from different Commands could work together for a common goal.

Ms. Sally Hobson, Visual Information Specialist, of the Naval School of Health Science, whose idea and design for the cover of the manual is truly professional.

Mr. David Evans, Department Head, MIS, Naval School of Health Sciences, Bethesda, MD., whose assistance with the technological aspects, to include preparation of a CD ROM, is greatly appreciated.

YN3 Stephen Selman, Admin Asst, Armed Forces Health Professions Scholarship Program, Naval School of Health Sciences, Bethesda, MD, whose typing and layout skills were instrumental on the second draft.

Ms. Terri Tiller and Cyndi Hunter of the Human Resources Office-Washington whose valuable insight into the Staffing and Recruitment chapter of the manual. made an exceptionally complex topic simpler.

Ms. Theresa Curbelo and Mr. Ken Axson of the Human Resources Office-Washington who made all the changes during “the final review.”

Of particular note, however, are those rare extraordinary staff members of the Bethesda HRO Satellite Office who, while inundated with their day-to-day work, nevertheless found the energy and time to complete this manual.

My sincere personal thanks to:

Ms. Andrea Bruce whose computer and graphic arts skills are second to none. Andrea persevered when others of us began to wonder whether the manual was just too hard.

Ms. Francis Myers who not only accomplished her own job duties during this task, but by and large also those of Andrea. All of our thanks go out to Francis for her willingness to help out and her never-ending smile and professionalism.

Last, but certainly not least, Ms. Suzanne Page-Rowlson whose untiring devotion and dedication in the gathering, reviewing, rewriting, and writing of the material submitted for this manual was crucial to its completion. We could not have completed the project without her and our appreciation to Suzanne is immense.

Jake Jacobsen
Human Resources Office-Washington
Bethesda Satellite Manager